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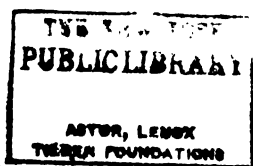


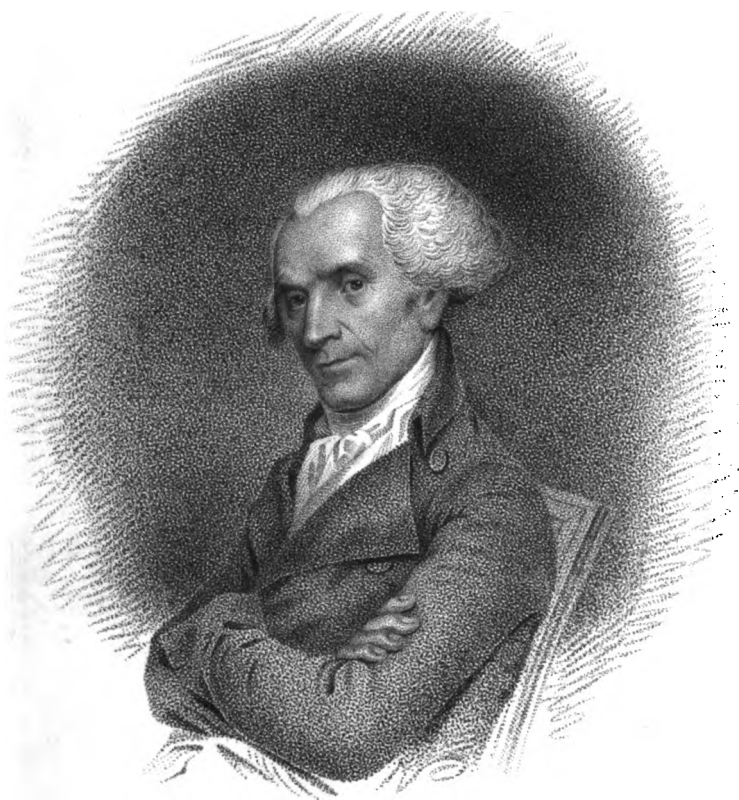
The life of Elbridge Gerry

James Trecothick Austin

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THE LIFE
OF
ELBRIDGE GERRY.





ELBRIDGE GERRY.

Engraved by J.B. Longacre from a drawing by Vanderlyn.

THE LIFE
OF
ELBRIDGE GERRY.

With Contemporary Letters.

TO THE CLOSE OF THE AMERICAN REVOLUTION.

Freehold
BY JAMES T. AUSTIN.



BOSTON:
WELLS AND LILLY—COURT-STREET.

1828.

DISTRICT OF MASSACHUSETTS, TO WIT:

District Clerk's Office.

BE IT REMEMBERED, that on the twelfth day of March, A. D. 1838, in the fifty-second year of the Independence of the United States of America, Wells and Lilly of the said District, have deposited in this Office the title of a Book, the Right whereof they claim as Proprietors, in the words following, *to wit:*

"The Life of Elbridge Gerry. With Contemporary Letters. To the close of the American Revolution. By James T. Austin."

In Conformity to the Act of the Congress of the United States, entitled, "An Act for the encouragement of Learning, by securing the Copies of Maps, Charts, and Books, to the Authors and Proprietors of such Copies, during the times therein mentioned;" and also to an Act entitled, "An Act supplementary to an Act, entitled, An Act for the encouragement of Learning, by securing the Copies of Maps, Charts, and Books, to the Authors and Proprietors of such Copies during the times therein mentioned; and extending the Benefits thereof to the Arts of Designing, Engraving, and Etching Historical and other Prints."

JNO. W. DAVIS,
Clerk of the District of Massachusetts.

NOV 18 1838
CLERK
MASSACHUSETTS

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PREFACE.

THE subject of this memoir commenced his political career under the royal government in Massachusetts, and continued in the public councils almost to the close of the last war with Great Britain. During this long period, he sustained high and responsible offices, which peculiarly connected him with "both the political ages of our country."

In measures, which dissolved the power of the British crown over the colony of Massachusetts; in the establishment of a new government by the people; in the declaration of independence by the United States; in the direction of the civil, military, foreign and domestic concerns of the continent during the war of the revolution; in arrangements for the cessation of hostilities and in the

administration of affairs after the treaty of peace, the individual of whose life some account is now to be given, was conspicuously concerned.

In the convention to form a constitution for the confederacy, which may be considered a new epoch in the history of the United States, he attracted no common share of public attention. At the organization of the federal government, he was a member of the house of representatives; during the negotiations, which ended in the termination of our treaties with France, he was engaged in an important embassy to that power; during the excitement and agitation which preceded the second war with England, he was at the head of the government of Massachusetts, and through the greater part of that war presided over the senate of the United States.

This connexion with distant and important events in the history of his country, belongs almost exclusively to him. Four of his associates in the colonial legislature and provincial congress of Massachusetts were his colleagues in the congress which declared the independence of the United States, but neither of them were members of the convention which prepared the federal constitution. Of the whole number who signed the declaration of independence, seven only were members of the latter assembly. Again, the first

and second congress under the new government contained many individuals who had been distinguished in the civil or military service of the revolution, and several who had assisted in forming the present constitution, but the number of those concerned in both these events was small. Time rapidly made that number less, and when the subject of this memoir took the chair of the Commonwealth of Massachusetts, few of his associates in the revolution were in its councils; at a subsequent period, when he presided in the senate of the nation, he is believed to have been the only individual, in any branch of the government, who had been a member of the "*immortal congress of 1776.*"

Two only of his colleagues of the revolution attained an equal elevation under the constitution of the United States. They passed indeed to a rank one degree higher in its service; but of these eminent citizens one ceased to hold public office about the commencement of the present century, and the other retired in the year 1809. Subsequent to this latter period, ELBRIDGE GERRY was governour of Massachusetts, and died in 1814, vice-president of the United States.

To enter into the service of the country while a royal colony, to sign the declaration of independence, to assist in the forming of the constitution,

to be a party in the organization and first operations of the new government, to preside in the councils of the state while those measures were in progress which were preliminaries to another war, and to participate in those of the nation, when war had again commenced under circumstances calculated to test the permanency of its institutions and the fidelity of the people, is to have engaged in a series of political measures which connect themselves with the fortune of no other individual.

To give some account of the life and character of one whose name is associated with these great events, is the object of the following pages. Embarrassments to this design have been severely felt in the progress of a work, which, occupying only the intervals of professional engagement, has been laid aside, resumed and interrupted again, as public and private avocations required or allowed.

To recount intelligibly the agency of any one in the time of the revolution requires some recapitulation of events, which have been too often and too well written to preserve any longer the interest of novelty. To present them, as far as might be, in an original form, recourse has been had to the epistolary correspondence of the times. This gives somewhat of an intimate and confidential picture of transactions in which the writers

were engaged. "The history of the revolution," it has been said by the highest authority, "is contained in the letters of the revolution." Some of these are now made public. Written, *calamo currente*, with no view to publication, they are not subjects for exact criticism. They develop only the patriotism of the writers. Of those more recent events which occurred at and subsequent to the formation of the constitution of the United States, it is not easy to speak with sufficient impartiality at a time so near their accomplishment. The irritation they excited has not subsided. The storm of party violence may have ceased, but the waves are not yet calm. The traces of a consuming fire are still perceptible. The path lies

Per ignes
Suppositos ceneri doloso.

The prominent incidents in the life, which this volume is intended to illustrate, occurred in times of revolution, faction and party warfare. The whigs and tories were not more vindictive than the advocates and opponents of the constitution, or than the factions who quarrelled about the treaty of London and the war with France, or than those who arranged themselves under party banners as republicans and federalists.

It was not possible that any man of decision of character and personal independence should stand

well with all these irritated adversaries. In such times every honourable man selects his side. The consequence of a choice is the favour of one and the enmity of the other.

The subject of this memoir enjoyed in a remarkable degree the support of his political friends, and had no patent of exemption from the fate, which impended over the statesmen of his age. Much of the malignity, with which he was assailed, may be justly ascribed to a vindictive and vulgar spirit, but it is not to be doubted that many measures of his public life seriously displeased the leaders of a strong and powerful party, and induced them to believe they "did the state some service" by diminishing the influence of his name.

To discriminate between defamation intended merely to exasperate, and that estimate of conduct which speaks sincerely in the language of reproach; or between adulation, designed to exalt the character of a leader, and praise which is the honest sentiment of a gratified community, is not always a practicable task. The duty of the biographer is doubtless to enable his readers to form their own judgment by an impartial and dispassionate narration of the facts that existed.

This and other considerations have induced the publication, at the present time, of so much only

of the life proposed to be written as was passed during the revolution, a period about which, at this day, there is a correct standard of opinion. The residue is in progress, and may be given at some future time to the public. It is the more willingly deferred, because it is that part with which recent enquirers into American history are in some degree familiar.

Few of the reading population of the country are unacquainted with the storms and tempests, which shook the political atmosphere during the period when Mr. Gerry was the minister of his country near the directory of France, or was either governour of Massachusetts, or a candidate for the chair. None who have felt any interest in the history of the nation, are ignorant of the portentous events, which were connected with its administration when he was vice-president of the United States. His share in these scenes is in a good degree understood. His labours in the revolution are less extensively known. Hence his character is more generally considered than it ought to be, that of a party leader; and his claims to consideration are supposed to rest less on his services as a patriot, than his zeal as a partisan.

The events narrated in this volume may correct that impression and prove the validity of his title to those large honours which his country bestowed

upon him. The period embraced in it is that which an American may contemplate with the highest feelings of national pride. Not only was a great revolution successfully accomplished, and those free institutions established whose effects on the moral condition of man no spirit of prophecy is yet competent to disclose, but the foundations of the republic were laid deep and strong in national and private virtue, the only adequate support for the pillars of a temple consecrated to liberty and the rights of man.

BOSTON, MASSACHUSETTS, 1828.

THE LIFE
OF
ELBRIDGE GERRY.

CHAPTER I.

*Early Life.....Marblehead.....Elected to the General Court of
Massachusetts.....Correspondence with Samuel Adams.*

ELBRIDGE GERRY was born at Marblehead, in the state of Massachusetts, on the seventeenth day of July 1744. His father, Thomas Gerry, was a native of Newton, in England, of respectable parentage and connexions. In 1730 he emigrated to America, and afterwards married the only daughter of Enoch Greenleaf, of Boston, a gentleman of fortune, according to the opinion of those days. Soon after his marriage, Mr. Gerry established himself as a merchant in Marblehead, where he continued to reside until his death in 1774. He was much esteemed and respected, and received many marks of the confidence re-

posed in his judgment and discretion. Five children survived him.

Elbridge, the subject of this memoir, was so named in honour of a maternal ancestor. After receiving the rudiments of education at the common town schools, he entered Harvard College before he had completed his fourteenth year, and received its first honours in 1762.

Little is known of his early habits or manners. He was too young at the university to have acquired any decisive character. In the exercises assigned to his class on receiving their master's degree, and which, according to the fashion of the times, were in the Latin language, a discussion on the right of a people to disregard those restrictive laws which, under the form of revenue laws, were destructive to commerce,* was assigned to him.

Polemical divinity, or some abstruse metaphy-

* *An prohibitionum et vectigalium innovatio, commercium populo inutile reddens, ab iis qua subditis fidelibus evadenda sit? Affirmat respondens ELBRIDGE GERRY. Questiones pro modulo descutiendæ sub Reverendo D. Edvardo Holyoke Collegii Harvardini Quod est Divina Providentia Cantabrigiæ Nov-Anglorum, preside in commitiis publicis a Laureæ Magistralis candidatis decimo sexto Calendarum sextilis MDCCLXV.*

The same paper contains also the following question. *An regni legislatores modum legislationis fundatum mutare jure possint. Negat respondens.* FRANCIS DANA.

This Mr. Dana was the future distinguished chief justice of the state of Massachusetts.

sical question, had been hitherto the chief subject of college exercise. Political enquiry then began to excite attention ; and new topics, which warmed the public mind, could not long be kept from the discussion of the schools. The theses of that year show the innovation which was beginning to be made on ancient habits, and strangely mingle matters of abstruse learning with modern doctrines of political interest. How the latter were discussed, the ephemeral occasion prevents us from ascertaining ; that they were discussed at all, shows the first glimmering of that light, which was about to throw its effulgence over the country.

Mr. Gerry was at first destined to the profession of medicine, to which his own inclination strongly attached him ; but soon after leaving the university he engaged in commercial affairs, by the wish and under the direction of his father, and for some years followed the routine of mercantile business in his native town. The products of the ocean constituted the chief wealth of that ancient and respectable place. In these, all had a common interest ; but the inhabitants were principally divided into two classes, Fishermen and Merchants. The latter, among whom were some families of great wealth, were pursuing a bold and adventurous commerce wherever the embarrassments of the French war did not present insurmountable difficulties, or the no less vexatious restrictions of

the mother country did not tie down the natural spirit of activity and enterprise.

Marblehead was at that period not merely a principal fishing town, but nearly approached the capital in the extent and value of its trade, which, notwithstanding the troubles of the times, was singularly lucrative. The most numerous part of its population were fishermen, and their peculiarities of character gave to Marblehead the reputation by which it has been most commonly distinguished. The sea furnished them with the material of traffic; without pecuniary capital they depended on personal exertion, and supplied by industry, what was wanting in wealth. Early inured to danger, they found in the hazards and obstacles of their perilous mode of life only inducements for activity and diligence.

The male part of this population was engaged for most of the year on the ocean, while the women and children were left on shore in a sort of primitive and patriarchal community. General equality of condition and common wants prevented any claim of superiority, and produced a social feeling, which united most of them in one great family.

With no great advantages of education, the fishermen of Marblehead were generally distinguished by good sense and sound judgment, produced by their early habits of self-dependence, and the necessity which their course of life en-

forced of quick discernment, forethought, and decision. Separated in a good degree from temptations by which other classes of society are surrounded, they were characterized by their energy, integrity and sobriety. Little of the artificial refinement of polished life was to be found in their society ; but its place was more than compensated by their generous hospitality, their sincerity and benevolence.

Such were the men among whom Mr. Gerry was born, and with whom in early life he was in many respects associated, and to the influence which they would naturally exert, controlled and modified as it was by his superiour education, college associations, and family possessions, may be traced some of those conspicuous traits, which were afterwards developed in his character.

The bold and adventurous are lovers of liberty. It was to be expected, therefore, and the fact answered this expectation, that in the controversy between the colonies and Great Britain, the inhabitants of Marblehead should early display their attachment to the cause of their country. The resistance, which began in the capital, was promptly and efficiently encouraged by these courageous citizens, who entered with the natural ardour of their disposition, into all the measures which were devised for the protection of the province. These measures were rapidly assuming a livelier and deeper interest. The operations of

commerce became more embarrassed by the vexatious orders of the British government, and those minds among the colonists which superiour intelligence had illumined, or education had matured, were gradually drawn from the paths of interest to the labours of patriotism, and diverted as well by inclination as duty, from objects of personal emolument to the service of the State.

The strong political excitement of the times failed not to have its interest with Mr. Gerry. It soon attracted his attention from the compting house, where, during the short period of his engagement, he appears to have been eminently successful, and terminated his connexion with a profession to which he had little partiality. In the intervals of public employment he did indeed occasionally resume the avocation, but as might be supposed, when not steadily pursued, with no great satisfaction or advantage; and, after a few years, he finally abandoned it for other objects more congenial to his mind.

Mr. Gerry made his first appearance in public life as a representative of his native town in the general court of the province of Massachusetts, in May 1772, a period when the royal government and the people were in a high state of animosity, and almost of open collision.

SAMUEL ADAMS was then a member of the general court for the capital, and in the full possession of those extraordinary powers which placed

him both in the view of the people and the government as the controlling genius of the storm. The decided principles and the enthusiasm of his new associate connected them together in bonds of friendship, which continued with increasing intimacy to the close of that great patriot's life.

The opening scenes of the political drama were made interesting by a succession of incidents, which called forth all the skill and talent of the distinguished actors, whose perfect performance of their arduous parts has challenged the admiration of mankind. The first matter of moment of that political year was an attempt on the part of the English ministry to change the mode of compensation for the judicial department of the colonies, or rather a rumour that such a change was projected. This intention was at once ascribed to a corrupt inclination to render the administration of the laws subservient to the personal views of the ministry, and under the prudent advice of the popular leaders in the colony became a signal for very active resistance. Meetings of the inhabitants were called in Boston and other large towns, for the purpose of creating a general sentiment and giving it suitable effect; and the influence of those who aspired to any distinction in the approaching contest, was exerted to forward the views of more advanced champions, who already had marked a line of division be-

tween the claims of the mother country and the rights of their own.

The projected innovation with regard to the judiciary of Massachusetts, gave rise to the following correspondence.

MR. GERRY TO MR. ADAMS.

MARBLEHEAD, OCT. 27, 1772.

SIR,

That the judges of our superiour courts should be rendered independent of the people of this province, is a matter so alarming, that its consequences are at once seen by every considerate mind. It would be unbecoming the wisdom of this people, to suffer their lesser offices of trust to be supplied by any other persons than such as are well affected to the general interest. How blind must we be, then, to suffer the superiour judges, who are in a great measure the arbiters of our interest, liberty, and lives, to be men in whom we place no confidence !

It is no longer matter of doubt, that the ministry are determined to deprive us of our constitutional rights, and by that means to accomplish their ulterior object of getting at our property ; and can we confide in judges who have connexion with our most inveterate enemies ; who have not bare connexions, but dependence ? I hope, sir, we have virtue enough to withstand it.

I observe you have taken up the matter in Boston, and we should be glad to second you, but for some difficulties which we want your opinion upon. It is uncertain with us, whether the salaries are confirmed; whether they have been accepted, or if accepted, whether the judges, knowing how disagreeable it will prove to the people, will not revoke their design. When these matters are determined, we can proceed with propriety, and should the salaries be received (which D. V*). I hope we shall not leave the subject until the grievance is redressed, and I think I am warranted to say for this town, you will ever find it ready in attention with interest or life.

I remain, with esteem, &c.

E. GERRY.

Mr. Adams.

MR. ADAMS TO MR. GERRY.

BOSTON, OCTOBER 27, 1772.

SIR,

I have just now received your favour, dated this day. I am perfectly of your opinion with regard to the independency of the judges. It is a matter beyond doubt in my mind. I was told yesterday, by one of his majesty's council, that Mr. Hutchinson has a letter by the packet, from Ber-

* Deus Vetat.

nard, which advises him of it as a fact. This town is to meet to-morrow, to consider what is proper for them to do. We have looked upon it as of so interesting a nature to us, that *even the report* should alarm us. It is proposed by many among us to apply to the judges for their explicit declaration, whether they will accept of so odious a support, and to apply also to the governour for a general assembly forthwith. I will write you on Thursday, and let you know the event. Our enemies would intimidate us, by saying our brethren in the other towns are indifferent about this matter, for which reason I am particularly glad to receive your letter at this time. Roxbury, I am told, is thoroughly awake. I wish we could arouse the continent.

I write in the utmost haste,

And am, with great esteem,

Sir, your most humble serv't,

SAMUEL ADAMS.

MR. ADAMS TO MR. GERRY.

BOSTON, OCTOBER 29, 1772.

MY DEAR SIR,

I wrote you in great haste on Tuesday last. Since which, the freeholders and other inhabitants of this town have had a meeting, to enquire into

the grounds of the report, that the salaries of the judges are fixed and paid by order of the crown, and to determine upon such measures as should be proper for them to take upon so alarming an occasion. The enclosed paper contains a short but true account of their proceedings. It is proposed by some, to petition the governour to order a session of the general assembly, and that the town should expressly declare their natural and charter rights to their representatives, and the instances in which they have been violated, peremptorily requiring them to take every step which the constitution prescribes, to redress our grievances; or if every such step has been already taken, to inform their constituents, that they may devise such measures as they may see their way clear to take, or patiently bear the yoke. I will acquaint you with the proceedings of the town as they pass. In the mean time, I wish your town would think it proper to have a meeting, which may be most seasonable at this time; for as the superiour court is to be held at Salem next week, you will have an opportunity of making a decent application to them, and enquiring of the certainty of the report, and other matters mentioned in your letter to me; which enquiry will be more naturally made to them, in case the governour should decline answering the message of this town, or do it, if I may be allowed the expression, equivocally. This country must shake off their intolerable

burdens at all events. Every day strengthens our oppressors and weakens us. If each town would declare its sense of these matters, I am persuaded our enemies would not have it in their power to divide us, in which they have all along shown their dexterity. Pray use your influence in Salem, and other towns.—But I am now going with our committee to his *excellency*. Shall be glad of a letter from you. Your last, I read to the town, to their great satisfaction, though I concealed the name of its worthy author.

I am, with great esteem,

Sir, your humble servant,

SAMUEL ADAMS.

Elbridge Gerry, Esq.

MR. GERRY TO MR. ADAMS.

MARBLEHEAD, NOVEMBER 2, 1772.

DEAR SIR,

Your agreeable favours of 27th and 29th ult., have just come to hand. I observe what is doing in your city, and what you are desirous of having done in this and the neighbouring towns; being fully convinced, and acquiescing entirely in your opinion, that unanimity in our measures is necessary, and the only means by which we can save ourselves. “United we stand, divided we fall.”

As in all or most human affairs a successful beginning invigorates the proceedings, and carries them on in triumph, it appears necessary that a plan should be concerted for the whole to act upon, and so concerted, that if it should prove unsuccessful, individuals, who have had virtue enough to oppose the designs of the great, may not fall a sacrifice to their rage or ridicule, but have this for their boast, that they have struggled for and with an honest people.

If you will give me leave to speak my private sentiments upon your proceedings, at your last meeting, both with the deference due to the wisdom of your community, and the freedom of a person anxious in the cause, I will observe, that in a free state, the measure of petitioning the governour for an assembly, would not only have been rational, but might have ensured success. *Salus populi* is the object at which the supreme legislature must aim, and the existence of a governour (in that capacity) would depend on his having the same point in view. He would naturally have listened to the first proposal from the metropolis, and either have removed groundless fears, or called an assembly to have made known their grievances. This would have been the case in a free state. We are not in that condition. We have in a great measure lost our glory, and therefore I fear that all applications to those who are our oppressors, will not only be fruitless, but

serve to hurt our cause, and discourage us. Our whole dependence, as a people, is on our own wisdom and valour; and if a plan wherein, as I before observed, all can come to act, should be devised, I doubt not it will succeed.

It is previously necessary, as you propose, to know of the judges, whether they will accept or not, and if we have not opportunity, as an assembly, to have their peremptory answer to this question, it appears most proper for a committee from Boston, united with committees from two or three other towns, to wait on them, and in case of an equivocal answer, to look upon it they do intend accepting, and to proceed accordingly.

Should this step, taken by only one town, be treated by the judges with indignity, it would prove discouraging, when in conjunction with several other towns it would have the contrary effect, and serve to animate the whole province.

It appears to me the process is plain, when once this point is determined. When Mr. Pratt was appointed chief judge of New-York, the people were disgusted, and treated him in such manner, that it shortened his life; and should Boston enter into some spirited resolves respecting the judges, precluding them and their posterity from every honour and office that could be conferred on them by the people, holding them up to shame, and withholding every connexion with their families and associates; should these be published in the

newspapers, and each town in the province be desired to express their sense of the matter, in the same public way, I doubt not the judges would come to terms, and replace their dependence on the people; but I do not so much depend on my own opinion, as I shall on your deliberate sentiments, being with great respect and esteem,

Dear sir, your most obedient

And humble servant,

ELBRIDGE GERRY.

MR. ADAMS TO MR. GERRY.

Boston, Nov. 5, 1772.

MY DEAR SIR,

I received with pleasure your letter of the 2d instant. I was sure you could not but be of opinion that unanimity, in the measures taken by the friends of the country, is of the utmost importance. I must, with great deference to your judgment think, that even in our wretched state, the mode of petitioning the governour will have a good effect. I was aware that his answers would be in the same high tone in which we find them expressed; yet our requests have been so reasonable, that in refusing to comply with them, he must have put himself *in the wrong*, in the opinion of every honest and sensible man; the consequence

of which will be, that such measures as the people may determine upon to save themselves, if rational and manly, will be the more reconcilable even to cautious minds, and thus we may expect that unanimity which we wish for.

I have the satisfaction of enclosing the last proceedings of our town-meeting, in which I think you will perceive a coincidence with your own judgment, in a plan concerted for the whole to act upon. Our timid sort of people are disconcerted, when they are positively told that the sentiments of the country are different from those of the city : therefore a free communication with each town will serve to ascertain this matter ; and when once it appears beyond contradiction, that we are united in sentiments, there will be a confidence in each other, and a plan of opposition will be easily formed, and executed with spirit. In such a case (to return, with entire approbation, your own language,) those “ who have virtue enough to oppose the wicked designs of the great, will have this for their boast, that they have struggled for and with an honest people.”

I was at first of your opinion, that “ it would be most proper for a committee from Boston, united with committees from two or three other towns, to wait on the judges,” &c., and I mentioned it to several gentlemen of the neighbouring towns, who approved of it, but so much caution prevails, that they suspected whether their respective towns

would stir, till Boston had given the lead; (a needless compliment to the capital). This turned our thoughts to the measures taken by the town, and led me to conceive hopes, that as the superiour court would be soon sitting in Salem, Marblehead and other towns in that county would come into such a proposal.

I take notice of what you observe, "that *our whole dependence as a people seems to be on our own wisdom and valour,*" in which I fully agree with you. It puts me in mind of a letter I received not long ago, from a friend of mine of some note, in London, wherein he says, "your whole dependence, under God, is upon your own virtue (*valour.*) I know of no noblemen in this kingdom, who care any thing about you, except lords Chatham and Shelburne, and you would do well to be watchful even of them."

I earnestly wish that the inhabitants of Marblehead and other towns would severally meet, and if they see cause, among other measures second this town, and appoint a committee to be ready to communicate with ours. This would at once discover an union of sentiments thus far, and have its influence on other towns. It would at least show that Boston is not wholly deserted, and might prevent "its falling a sacrifice to the rage or ridicule of our (common) enemies."

I shall be pleased with your further sentiments,
and am, in strict truth,

Sir, your affectionate friend,
And humble servant,

SAMUEL ADAMS.

Elbridge Gerry, Esq.

MR. GERRY TO MR. ADAMS.

MARBLEHEAD, NOV. 10, 1772.

DEAR SIR,

In answer to your esteemed favour of the 5th instant, I think the friends of liberty here will be able to hand you something soon, that will give a spring to your proceedings, although there are not wanting persons of considerable influence in the opposition.

The steps taken by our vigilant metropolis, I am well assured will succeed ; but should they fail, the merit of those worthies, who oppose the strides of tyranny, will not be diminished ; neither would their being overpowered by numbers alter the heroism of their conduct.

I should have been glad, had the word christian in your resolves, been omitted. That the clergy may be engaged in our cause, and open the eyes of the people to oppression, it may not be amiss to hint at the church innovations, and the estab-

ishment of those tyrants in religion, bishops, which will probably take place.

I remain your friend,

E. GERRY.

MR. ADAMS TO MR. GERRY.

Boston, Nov. 14, 1772.

MY DEAR SIR,

Your letter of the 10th instant did not come to my hand till this evening. It is a great satisfaction to me, to be assured from you, that the friends to liberty in Marblehead are active, and that there is like to be a town-meeting there. Our committee are industrious, and I think I may promise you they will be ready to report to the town in two or three days, so that if your town should think proper to make an adjournment for ten days, or a fortnight, they will doubtless by that time, if not before, have an opportunity of acting upon our resolutions. I am sorry, when any of our proceedings are not exactly according to your mind; the word you object to in our resolves was designed to introduce into our state of grievances, "the church innovations and the establishment of those tyrants, *bishops*," which, as you observe, will probably take place. I cannot but hope, when you consider how indifferent too many of the clergy

are to our just and righteous cause, that some of them are the adulators of our oppressors, and even some of the best of them are extremely cautious of recommending, at least in their public performances, the rights of their country to the protection of Heaven, lest they should give offence to the little gods on earth, you will judge it quite necessary that we should assert and vindicate our rights as *christians*, as well as men and subjects.

The town of Roxbury are to meet on Monday next, and a great number in Cambridge have subscribed a petition to their selectmen for a meeting there. I have received a letter from a gentleman of influence in Plymouth, who is pleased to say, he thinks the general plan adopted here will produce great consequences, if supported with spirit in the country; and that he believes there will be no difficulty in getting a meeting there, and carrying the point in seconding this town; he tells me, the pulse of his fellow-townsmen beat high, and their resentment, he supposes, is equal to that of any other town. May God grant, that the love of liberty, and a zeal to support it, may enkindle in every town. If our enemies should see the flame bursting in different parts of the country, and distant from each other, it might discourage their attempts to damp and quench it. I am well assured they are alarmed at the measure now taking, being greatly apprehensive of the same consequences from it, which our good friend at Plymouth hopes

and expects. This should animate us in carrying it into execution. I beg you would exert your utmost influence in your neighbouring towns and elsewhere. I hear nothing of old Salem ; I fear they have had an opiate administered to them. I am told there has been a consultation there, a cabal in which his excellency presided. Pray let me be still favoured with your letters, and be assured that I am sincerely

Your friend,

SAMUEL ADAMS.

Elbridge Gerry, Esq.

MR. GERRY TO MR. ADAMS.

MARBLEHEAD, Nov. 26, 1772.

DEAR SIR,

On the other side is a copy of the petition, which is to come under the consideration of this town on Tuesday next, being signed by a number of freeholders. All sensibility has not departed from the province. Hope is revived and must be kept alive.

As our oppressors succeed very much by having the several assemblies on the continent either annihilated by dissolutions, or suspended by prorogation, it is proposed to have a committee of grievances, to act at all times when the assembly is prevented from meeting. They are to employ themselves in inventing when one method fails

another method for having our grievances redressed, communicate their sentiments to a grand committee at Boston to receive proposals for opposition, and to communicate such as are approved to their respective towns, and to continue this method undauntingly until some means are found effectual and oppression is removed. Pray let me be informed how this is viewed.

The bare method of instructing representatives I conceive to be inadequate. The house has ever faithfully discharged its duty to the full satisfaction of its constituents. It seems to me to be impotent. The more we contemplate matters, the more there is to alarm us. We must find some way to overawe our adversaries.

I remain, &c.

E. GERRY.

Mr. Adams.

MR. ADAMS TO MR. GERRY.

Boston, Dec. 7, 1772.

MY DEAR SIR,

I have just received your's of the 26th November, and take the earliest opportunity to acknowledge it. I shall lay it before our committee as

soon as may be. Hope you have had a happy meeting this day, and rest with esteem,

Sir, your friend,

SAMUEL ADAMS.

Monday, 10 o'clock evening.

Elbridge Gerry, Esq.

MR. ADAMS TO MR. GERRY.

Boston, Dec. 23, 1772.

MY DEAR SIR,

The further proceedings of the truly patriotic town of Marblehead, together with your own esteemed favours of the 16th and 21st *instant, came to my hand in due season. The proceedings I immediately communicated to our chairman; and from your hint that it was thought proper to suspend the publication, together with assurances of letters from some other towns speedily, we agreed also to suspend the calling a meeting of our committee, which however will be done soon. Agreeably to the intimations in your last I find in the Essex Gazette a,—what shall I call it? a disapprobation, to use their own term, signed by a *few* men, of the proceedings of a whole town. If “in fact there *was* but about twenty

* Covering proceedings of the town of Marblehead, and the Essex Gazette, newspaper.

persons who voted at the meeting" and all the rest were against the measure, I wonder much that they did not follow the example of so eminent a person as the single dissentient and outvote you when they had it in their power. Or why could not the twenty-nine disapprobators have attended the meeting the second time and prevented your taking such measures from which they "are apprehensive the town will incur a great deal of public censure"? This would indeed have been meritorious. I am a stranger to most of the gentlemen who have thus signalized themselves; Mr. Mansfield I once thought a zealous whig, perhaps I was mistaken. After all, the whole seems to be but a weak effort; their third reason appears to me so excessively puerile, that I am surprised that gentlemen of character could deliberately set their hands to it.

Your last proceedings sent to us in manuscript are attested by the town clerk. I am sorry to observe that the printed copy in the Essex Gazette is without his attestation, because an advantage may be made of it in our Court Gazette to lessen its credit and authority; to prevent which I intend the next Monday's papers shall have it from the manuscript unless (which I cannot much expect) I shall be otherwise advised by you.

I was thinking that you might turn the tables upon your disapprobating friends, by getting a much larger subscription from persons who were

not at the meeting and *approve* of the proceedings. Whether it be prudent or worth while to try this method you must certainly be a better judge than I am.

The tools of power, little and great, are taking unwearied pains to prevent the meeting of the towns, but they do not succeed altogether to their wishes. I cannot help entertaining some sanguine hopes that the measures we have pursued will have a happy event.

I am, with due regard,

Sir, your humble servant,

SAMUEL ADAMS.

Elbridge Gerry, Esq.

MR. GERRY TO MR. ADAMS.

MARBLEHEAD, DEC. 30, 1772.

DEAR SIR,

Your esteemed favour of the 23d is just arrived, and contains some hints which would have been serviceable, had the letter obtained a quicker conveyance. However, we have here little or no difficulty with the enemies of our constitution, and have endeavoured in the last Essex Gazette to correct the virulence of the protest, if its weakness did not leave the community without danger of being disordered by it.

I observe we are to have a session soon, and the acting metropolis and towns have probably produced it ; nevertheless, I hope they will go on, as his excellency designs to stop the corresponding committee. They are good outguards, and there is reason to expect great services from them ; they are great troubles to the tories, as appears by the papers.

The whigs here are very happy in falling in with your sentiments, as will appear when their reply shall fall into your hands.

I remain, with great sincerity and esteem,

Dear Sir,

ELBRIDGE GERRY.

Samuel Adams, Esq.

A minute and extensive correspondence was maintained by the patriots of that day on the constantly recurring questions of popular rights in which the interests of the province were discussed, measures of resistance determined, and a common sentiment excited among the people, which secured on proper occasions a wonderful unanimity both of acts and expression.

Without the authority or emoluments of office men of education and character voluntarily devoted themselves to incessant and indefatigable labour, and left no effort unattempted which could

inform or encourage the people. Their instructions were every where received as orders, and their requests as laws. As the power of the magistracy was diminished that of voluntary patriotism acquired strength. Resistance was organized, directed, limited and controlled ; and rebellion, which might then almost be said to have commenced, had none of the extravagance of anarchy in the hazardous period of its inception.

Mr. Gerry entered into the arrangements of the leaders of the province with his natural ardour, and devoted himself to the occasion with a perseverance and assiduity which could have left him little opportunity for other concerns.

A committee of correspondence was that year established at Marblehead, which maintained a regular intercourse with the great central committee at Boston and with other distinguished agents of the people, the chief labour of which devolved on Mr. Gerry.

CHAPTER II.

*Re-elected to General Court.....Mr. Adams' Motion.....Affairs
in Marblehead.*

IN May 1773, Mr. Gerry was re-elected a member of the general court. On the organization of the government, the reply of the house of burgesses of Virginia to the proceedings of Boston and other towns of Massachusetts in the preceding autumn, was communicated to the house of representatives.

On the communication of this important measure Mr. Samuel Adams made his celebrated motion "for the appointment of a standing committee of correspondence and enquiry on the communication of the truly respectable house of burgesses of his majesty's ancient colony of Virginia, enclosing a copy of resolves entered into by them on March 12, 1773."

Whether "the merit of originating this powerful engine of resistance" belongs to Virginia, as is claimed for her by the elegant biographer of Patrick Henry, or was proposed by Massachusetts three years before, as is contended by one of her recent historians, or whether the measure was adopted so nearly at the same time by both states

that one could not have borrowed it from the other, according to the suggestion of a writer of high authority, is a question which, however honourable to the emulation which proposed it, time has rendered it difficult to decide.

It is certain however that from this period committees of correspondence were duly appointed, and formed a regular channel of intelligence by which the spirit of patriotism was invigorated, and extended from one end of the continent to the other. Every where the most active and intelligent citizens were placed on these committees; and in the house of representatives of Massachusetts, Mr. Gerry, though one of the youngest members, was associated in this honourable service with the veteran statesmen and master spirits of the time.*

* The movement of these committees is indicated in the letter subjoined.

Mr. Cushing to Mr. Gerry.

BOSTON, SEPT. 29, 1773.

SIR,

I am desired to notify you that the committee of correspondence, of which you are a member, are to meet at the representatives' chamber on Wednesday the 20th October next, at 10 o'clock, A. M. to consider of some matters of importance, and more especially to consider whether it will be expedient for the committee to write to the committees of correspondence in other governments to consult and agree upon one form of conduct with respect to any requisitions for aid that may be made upon

In addition to the standing committee of correspondence and enquiry, another committee was appointed at the same session to prepare an address to the provinces, of which committee Mr. Gerry was a member, with Mr. Adams, Mr. Hancock, and Major Hawley.—The address prepared in obedience to their instructions was published by the committee in the October of that year; and breathes a spirit of confidence and determination, to have been expected from the ardent character of its authors.

At this session of the legislature certain letters of Governour Hutchinson and Lieutenant Governour Oliver to persons in England, written in 1768–9, and intended, as was supposed, to encourage the administration in maintaining their arbitrary measures, were procured and laid before the house, who voted that “their tendency and design was to overthrow the constitution of this government, and introduce arbitrary power into the province.”

Mr. Gerry distinguished himself in the debates which ensued on the disclosure of these letters, and was indefatigably engaged through the year

the colonies in case of a war. Your attendance at the time and place before mentioned is earnestly requested.

Your most humble servant,

THOMAS CUSHING.

P. S. It is thought it will not be best to mention abroad the particular occasion of this meeting.

Mr. Elbridge Gerry.

in the numerous duties which devolved on those, who aspired at that portentous period to give a just direction to the public mind.

The claims of patriotism were not then confined to the mere performance of official duty. The committees of correspondence carefully communicated whatever events were interesting to the country, and organized a government among the people independent of and often at variance with the royal authority in the province.

The first alarm about the tea is thus unfolded.

DR. CHURCH TO MR. GERRY.

BOSTON, DEC. 31, 1773.

SIR,

The committee of correspondence being convened by desire of the committee of Charlestown, to determine (if feasible) upon the total disuse of teas, both English and Holland; and being now engaged upon this important debate, have directed me to acquaint you that the information you this morning received respecting the conduct of the southern colonies in regard to the teas is strictly true, having authentic information as far as South Carolina of their firm resolution not to admit that baleful commodity among them, of which you may rest assured; the particulars you will find in

the Spy, and further confirmed by the Court Gazette of this day. We congratulate you on this firm union of the colonies, a sure presage that a corrupt and arbitrary administration with a venal parliament at their beck will never enslave Americans. We shall seasonably communicate to you such intelligence as we shall receive, and in the mean time would encourage you from the present happy prospects not to be depressed or discouraged by the arts of our enemies.

I remain, Sir,

Your most obedient humble servant,

BENJA. CHURCH, JUN.*

By order of the committee of correspondence
for the town of Boston.

Elbridge Gerry, Esq.

* If there is any exception to the invariable integrity of the American civil officers, it is in the case of the writer of this letter. Dr. Church was an eminent physician of Boston, a member of the general court from the capital, and one of the committee of safety. He enjoyed the confidence and esteem of the patriots with whom he was associated until October 1775, when he was charged and convicted before a military tribunal of holding illicit intercourse with the enemy; and in consequence of such conviction was expelled from the provincial congress. It does not appear that he was bribed into this treasonable conduct, and the motive which induced him to so extraordinary an act, and one so inconsistent with his former character, remains in obscurity. Mr. Bradford in his useful history of Massachusetts, remarks, "after some time the letter which had been intercepted, but which no one could interpret to whom it was first shown, was decyphered by the learned and reverend Dr. West, of Dartmouth." This is a mistake. Before the letter was submitted to Dr. West, it was decy-

In May 1774, Mr. Gerry declined a re-election to the general court, and resigned the situation which he held as a member of the committee of correspondence in Marblehead. An unfortunate and disgraceful occurrence in that town induced him and other leading characters of the place to retire from public concerns.

In the preceding year the inhabitants were alarmed by the breaking out of the small pox, a disease dreaded like the plague by most of the villages in New-England, and justly considered among the most awful visitations of providence.

To prevent the prevalence of infection Mr. Gerry and several other gentlemen of property, having first obtained permission from the municipalities of Marblehead and Salem, erected an hospital on an island in the harbour, where all persons liable to the disease were to be received and inoculated. As the building was not large enough to accommodate all the subjects at one time, it was intended to receive them in classes.

phered by Mr. Gerry, and a copy transmitted to Mr. R. T. Paine, one of the delegation from Massachusetts, at Philadelphia. The circumstance gave great offence to the military gentlemen in whose custody Dr. Church was confined, and some notes passed on the occasion, which were not of the most pacific kind. This anecdote might well enough have escaped the learned historian's research, but there is an omission through the volume of a proper notice of the subject of this memoir, which, if not studiously intended, seems at least as if it was occasioned by a recollection of the events of a later time, in which the parties were brought into unhappy collision.

To arrange the right to priority, jealousy and dissatisfaction were unfortunately excited. The poorer people thought themselves neglected. It became difficult to preserve patients from connexion with persons abroad. Some persons caught the infection at the hospital and carried it to town. The establishment was thereupon derided. Instead of being as it in fact was, a safeguard from general contagion, it was represented as a nursery of disease and pestilence; and in a moment of excitement and passion the building was set on fire by a mob, and with all its furniture totally consumed.

This act of violence following soon after the destruction of the tea in the harbour of Boston, was urged by the advocates of the ministry as the natural effect of a bad example, and was held up as the evidence of the feeble security which property would possess under the direction of a popular government.

To the friends of the people this lawless act was peculiarly mortifying. Every where and on all occasions they had inculcated a strict observance of order, regularity and peace. It was their policy to show that the community needed not the restraints of law to prove themselves good citizens, and it was with extreme regret that in a place considered as patriotic as Marblehead a disgraceful scene of riot and ruin should have been exhibited, which could not fail to be turned to

their disadvantage in the great contest, in which they were beginning to engage.

The perpetrators and abettors of the act waited only the return of their usual judgment to be heartily ashamed of the outrage, and deeply to lament the unfair advantage which it gave to the friends of the ministry.

To justify themselves, or at least to diminish the odium of the act, faults were alleged in the management of the hospital. The establishment was a novel one. It was too limited for general accommodation. Distinctions were to be made in the selection of patients, while those who were delayed fancied themselves abandoned to danger and death. When a whole family could not be received the anxiety of parents led them to remove their children to this place of refuge; and the same anxiety induced them to visit the island, although at the hazard of taking or of communicating to others the infection, which should have been confined to the hospital.

While those who were excluded complained of the principle of selection, those who were admitted found the crowded rooms of a hospital not a very desirable exchange for their residence at home. The physicians were worn out with duty, nurses were not sufficiently numerous, deaths occurred among those who were inoculated as well as among those who received the disease by contagion; and an experiment which was made with

the fairest motives, at much trouble and very great expense, became the source of vexation, failure and disappointment. Crimination and recrimination followed, until the proprietors of the building, who had not only lost their property but considered themselves grossly defamed, threw up their public employments, and threatened to leave the town.

A circumstance of this kind, calculated as it was to weaken the popular party by depriving it of the aid of one of the principal towns, and of some of the most active agents in the great measures of resistance, brought an admonitory letter from Samuel Adams, who, like the father of the faithful, guarded with unceasing watchfulness every avenue to danger, and a remonstrance from the committee of correspondence at the capital whose power derived from patriotism and public duty carried irresistible weight.

MR. ADAMS TO MR. GERRY.

BOSTON, MARCH 25, 1774.

MY DEAR SIR,

While the general court was sitting I received a letter from you relating to the unhappy circumstances the town of Marblehead was then in ; but a great variety of business, some of which was

very important, prevented my giving you a convincing proof at that time, of the regard with which I am ever disposed to treat your favours. Besides, if it had been in my power to have aided you with advice, I flattered myself, from the information I afterwards had, that the storm, though it raged with so much violence, would soon spend itself, and a calm would ensue. The tumult of the people is very properly compared to the raging of the sea. When the passions of a multitude become headstrong, they generally will have their course : a direct opposition only tends to increase them ; and as to reasoning, one may as well expect that the foaming billows will hearken to a lecture of morality and be quiet. The skilful pilot will carefully keep the helm, and so steer the ship while the storm continues, as to prevent, if possible, her receiving injury.

When your petition was read in the house, I was fearful that our enemies would make an ill improvement of it. I thought I could discover in the countenances of some, a kind of triumph in finding that the friends of liberty themselves, were obliged to have recourse even to military aid, to protect them from the fury of an ungoverned mob. They seemed to me to be disposed to confound the distinction, between a lawless attack upon property in a case where if there had been right there was remedy, and the people's rising in the necessary defence of their liberties, and deliberate-

ly, and I may add rationally destroying property, after trying every method to preserve it, and when the men in power had rendered the destruction of that property the only means of securing the property of *all*.

It is probable that such improvement may have been made of the disorders in Marblehead, to prejudices or discredit our manly opposition to the efforts of tyranny ; but I hope the friends of liberty will prevent any injury thereby to the common cause : and yet, I cannot but express some fears, that parties and animosities have arisen among the brethren ; because I have just now heard from a gentleman of your town, that your committee of correspondence have resolved no more to act ! I am loth to believe, nay, I cannot yet believe, that the gentlemen of Marblehead, who have borne so early and so noble a testimony to the cause of American freedom, will desert that cause, only from a difference of sentiments among themselves concerning a matter which has no relation to it. If my fears are groundless, pray be so kind as to relieve them, by writing to me as soon as you have an opportunity. I shall take it as the greatest act of friendship you can do me. Indeed the matter will soon be put to the trial ; for our committee, without the least jealousy, have written a letter to your's, by Mr. Goddard, who is the bearer of this. The contents we think of great importance, and therefore I hope they will have

the serious consideration of the gentlemen of your committee.

I am, with strict truth,
Your's affectionately,
SAMUEL ADAMS.

Elbridge Gerry, Esq.

COMMITTEE OF CORRESPONDENCE TO MR. GERRY
AND OTHERS.

BOSTON, APRIL 2, 1774.

GENTLEMEN,

Yesterday we received your letter dated the 22d of March, wherein we have the disagreeable intelligence of your "having resigned the several offices in which you have acted for the town of Marblehead," and that you shall "accept them no more—without material alteration in the conduct of the inhabitants."

When we heard of the unhappy circumstances of that town, the contest that had arisen to so great a degree of violence on account of the hospital lately erected there, it gave us great concern and anxiety, lest it might issue to the prejudice of the common cause of American freedom. We were apprehensive that the minds of the zealous friends of that good cause, being warmly agitated in such a controversy, would become thereby disaffected to each other, and that the advantage

which we have hitherto experienced from their united efforts would cease. We are confirmed that our fears were not ill grounded, by your relinquishing a post, which in our opinion, and we dare say in the opinion of your fellow townsmen you sustained with honour to yourselves and advantage to your country. But, gentlemen, suffer us to ask, whether you well considered, that although you derived your being as a committee of correspondence from that particular town which appointed you, yet in the nature of your office, while they continued you in it you stood connected in a peculiar relation with your country? If this be a just view of it, should the ill conduct of the inhabitants of Marblehead towards you, influence you to decline serving the public in this office any more than that of the inhabitants of this or any other town? And would you not therefore have continued in that office, though you had been obliged to resign every other office you held under the town, without injury to your own reputation? Besides will the misfortune end in this resignation? Does not the step naturally lead you to withdraw yourselves totally from the public meetings of the town, however important to the common cause, by which the other firm friends to that honourable cause may feel the want of your influence and aid, at a time when, as you well express it, "a *fatal* thrust may be aimed at our rights and liberties," and it may be necessary that all should

appear, and “as one body oppose the design and defeat the rebel intention?” Should not the disorders that have prevailed and still prevail in the town of Marblehead, have been a weighty motive rather for your taking measures to strengthen your connexions with the people than otherwise; that you might in conjunction with other prudent men, have employed your influence and abilities in reducing to the exercise of reason those who had been governed by prejudice and passion, and thus have brought the contest to an equitable and amicable issue, which would certainly have been to your own satisfaction? If difficulties stared you in the face; it is a good maxim, *nil desperandum*; and are you sure that it was impracticable for you, by patience and assiduity, to have restored “order and distinction,” and rendered the public offices of the town again respectable?

It is difficult to enumerate all the instances in which our enemies, as watchful as they are inveterate, will make an ill improvement of your letter of resignation. And therefore we earnestly wish that a method may yet be contrived for the recalling of it consistent with your own sentiments. We assure ourselves that personal considerations will not be suffered to have an undue weight in your minds, when the public liberty in which is involved the happiness of your own as well as the children of those who have ill treated you, and whom to rescue from bondage will afford

you the most exalted pleasure, is in danger of suffering injury.

We wish most ardently that by the exercise of moderation and prudence the differences subsisting among the good people of Marblehead may be settled upon righteous terms. And as we are informed that the town at their late meeting did not see cause to make choice of other gentlemen in your room in consequence of your declining to serve any longer as a committee of correspondence, we beg leave still to consider and address you in that character.

We are, with unfeigned respect,

WILLIAM COOPER, Clerk.

By order, and in behalf of the committee
of correspondence for Boston.

*To gentlemen of the committee of
correspondence for Marblehead.*

CHAPTER III.

*Correspondence with Samuel Adams.....With the Committee of
Donations.*

PERSONAL feeling and private interest soon yielded to the paramount claims of the country.

The rumour of the Boston port bill produced the following correspondence.

MR. GERRY TO MR. ADAMS.

MARBLEHEAD, MAY 12, 1774.

MY DEAR SIR,

The whole business of life seems involved in one great question, what is best to be done for our country? The distinguished resentment of an arbitrary ministry will prove for the metropolis a diadem of honour, and render the name of Bostonian respected and revered to the latest posterity. Whence this torrent of vengeance upon your much beloved city? It is your bravery that has induced it, and the bravery of your countrymen will liberate you.

Boston has been dealt with most rigorously, but

her defence will be glorious. The point is, whether Americans shall enjoy the fruits of their labour, or send them in taxes to Great Britain; whether they shall happily maintain their families by the proceeds of their industry, or remit it to Great Britain to maintain pensioners in luxury.

If the first is preferred, then the continent will see that falling on Boston is an attack on all the colonies; and as in battle, if on either wing of the army a violent onset is made, that part will be duly reinforced by a good general, so I hope it will be by the people in the attack made on Boston.

Pray stand out until this province and the other colonies have had opportunity of assisting you; if no assistance comes, then you cannot be blamed for giving way. The struggle will be over, and all of us enslaved. Dear sir, you will not be deserted! The inhabitants of this town and the county (as far as I can learn) are incensed at this act; there will be no great difficulty in relieving you.

The capitals of the other provinces will agree to strike off all commerce with Great Britain, and not to remit or pay interest before Boston is liberated, and each town should destroy all English goods imported contrary to agreement.

This moment some friends have come in and acquainted me with your meeting yesterday, and so much satisfaction I have never met with from

any news as from this. I most heartily congratulate you thereon. The tories here pretend that they would be for repelling the troops as they land, so changed is the face of affairs.

I could wish colonel Orne and myself could come; we have a desire to share in these new difficulties, but see no way to do so under the present circumstances of the town. * * * *

* * * * Americans know their rights and the value of them too well not to defend them. Pray make my respects to the committee of correspondence, as well as your good family, and believe me to be

Your most obedient servant,

E. GERRY.

Mr. Adams.

MR. ADAMS TO MR. GERRY.

Boston, May 12, 1774.

MY DEAR SIR,

I duly received your excellent letter of this day, while I was in town-meeting. I read it there, to the great satisfaction of my fellow townsmen, in as full a town-meeting as we have ever had. I think you and the worthy colonel Orne must by no means refuse to come to the general assembly. Every consideration is to give way to the public. I cannot see how you can reconcile a refusal to

your own principles. Excuse my honest freedom. I can write no more at present, being now in committee of correspondence upon matters of great importance. This waits on you by Mr. Oliver Wendel, who is one of a committee of this town to communicate with the gentlemen of Salem and Marblehead, upon the present exigency.

I am, in haste, your friend,

SAMUEL ADAMS.

Mr. Elbridge Gerry.

MR. ADAMS TO MR. GERRY.

BOSTON, MAY 20, 1774.

DEAR SIR,

I have just time to acquaint you that yesterday our committee of correspondence received an express from New-York, with a letter from thence, dated the 15th instant, informing that a ship arrived there after a passage of twenty-seven days from London, with the detested act for shutting up this port ; that the citizens of New-York resented the treatment of Boston, as a most violent and barbarous attack on the rights of all America ; that the general cry was, let the port of New-York voluntarily share the fate of Boston ; that the merchants were to meet on Tuesday last, and it was the general opinion that they would entirely suspend all commercial connexion with Great Britain,

and not supply the West Indies with hoops, staves, lumber, &c. ; that they hoped the merchants in this and every colony would come into the measure, as it was of the last importance.

Excuse me, I am in great haste,

Your friend,

SAMUEL ADAMS.

MR. GERRY TO COMMITTEE OF CORRESPONDENCE
AT BOSTON.

MARBLEHEAD, JUNE 16, 1774.

GENTLEMEN,

I enclose you a subscription from eight and twenty of the merchants and traders of this place, offering their stores, services, &c. to our oppressed friends ; there are numbers (their stores being at present fully occupied, they have been prevented from signing) who express their greatest readiness to assist, and convince our enemies that their wicked designs of dividing this people by their political stratagems of advantaging some by the ruin of others, are abortive. Give me leave to observe that I think it will not be necessary to publish the names of the subscribers, should it be thought best to publish the subscription ; as it may be known by any who can be served, where application is to be made. The committee of correspondence here

will readily direct in the matter ; which leaves me nothing further to offer at present, than that

I remain, sincerely, gentlemen,

Your most obedient, humble servant,

E. GERRY.

P. S. Our good friend, colonel Lee, would have been the first subscriber, had he been in town ; and the only objection to publishing the names, is a fear of its appearing rather ostentatious.

I believe you may be assured of our ability to furnish stores, &c. for all our friends, among whom addressers will not be ranked.

Gentlemen of correspondence for Boston.

COMMITTEE OF CORRESPONDENCE TO MR. GERRY:

BOSTON, JUNE 22, 1774.

SIR,

The committee of correspondence take this first opportunity to make their most grateful acknowledgments of the generous and patriotic sympathy of our brethren, the worthy merchants and traders of the town of Marblehead, as well those who have already subscribed for our relief, as those who express their readiness to serve the trade of Boston. Our sense of their favour, as it respects individuals, is strong and lively ; but the honour and advantage

thereby derived to the common cause of our country, are so great and conspicuous, that private considerations of every kind recede before them.

SAMUEL ADAMS.

By order of the committee of correspondence for the town of Boston.

To Elbridge Gerry.

Availing themselves of the kindness of their friends in Marblehead, the citizens of Boston placed there in deposit the benefactions which the sympathy of a continent appropriated to their use. The manner is best shown by some few of the numerous letters which the occasion produced.

COMMITTEE OF DONATIONS TO MR. GERRY.

Boston, August 23, 1774.

GENTLEMEN,

The committee for donations have received advice this day of a cargo of provisions from North Carolina, arrived at Newport, waiting for our directions; we have ordered the master to proceed to Marblehead, and apply to you for further advice and directions. This is to ask the favour of you to direct the master, after regular entry and clear-

ance, to proceed immediately up to Boston, and if any expense should be incurred by you, your draught on us shall be immediately honoured.

The kindness this town have experienced from our friends at Marblehead, and especially from you, encourages us to take this freedom.

We hope to persevere under our trials, and firmly resist the hand of oppression, trusting in the supreme Ruler of the universe, that he will in his time, extricate us from all our troubles, and that we shall yet be a free and happy people.

With the highest esteem and respect,

We are, gentlemen, your very

Obliged friends and servants,

DAVID JEFFRIES.

In behalf of the committee.

To Mr. Elbridge Gerry.

THE SAME TO THE SAME.

BOSTON, SEPT. 20, 1774.

SIR,

The committee of donations desire the favour of you to give any advice or assistance to captain Brown in unlading and reshipping one thousand bushels corn, which our friends in Virginia have generously sent for the relief of the poor of this town.

Your care in this matter will be a further obligation to

Your humble servants,

HENRY HILL.

By order of committee.

Mr. Elbridge Gerry.

THE SAME TO THE SAME.

BOSTON, SEPT. 22, 1774.

SIR,

I am desired by the committee of donations to request the favour of you, or some of our friends, to buy for us a load or two of wood, to pay as great a part as you can out of the corn that was left with you by the North Carolina vessel about three weeks past. We understand that corn sells at 3s.4d. at Salem. Please to excuse us thus frequently troubling you, and be assured the committee are sensible of their great obligations to you and their friends at Marblehead.

Your friend and humble servant,

NATHANIEL APPLETON.

CHAPTER IV.

The Provincial Congress of Massachusetts.....Mr. Gerry elected a Member.....Its Character.

EVENTS were occurring too important and multiplied to be managed any longer by mere local committees. The Boston port bill had shut up its harbour and annihilated all its trade ; a solemn league and covenant followed it, by which the people were bound not to import or use any English goods. The courts of justice were interrupted because of the arrangements about salaries. A law existed by which persons accused of political offences might be sent to Great Britain for trial. These great events combined to produce a patriotic excitement, and put into requisition the talents, the character and the virtue of the land. An assembly of delegates from all the towns in the province convened at Salem in October, to which Mr. Gerry was returned by a large majority as one of the members from his native town. From Salem the convention adjourned to Concord, and assumed the form of a legislative meeting, by choosing John Hancock to be their president, and Benjamin Lincoln their secretary.

This assembly had no justification for convening

by any provisions of the provincial charter; and their assuming the powers of legislation, and other high acts of authority and government, was supported by no other sanction than the voluntary consent and approbation of the people.

Resistance to organized government usually begins by military force. The arm of the law is active and powerful enough to put down all opposition that is not supported by the bayonet; but the American revolution began by the exertion of moral and intellectual power. It commenced in an intelligent and peaceable effort by the people to direct for themselves, and by themselves, the public business of the province; and so far as Massachusetts was concerned, the assembling of these delegates with the intention of exercising all the powers of legislation, and carrying this intention into complete effect, was a perfect abandonment of the provincial government, an overthrow of the royal power, and the beginning of the existence of a free, sovereign and independent state.

The assembly which met at Concord, and afterwards at Watertown, assumed the title of the provincial congress. Their numbers, their forms of proceeding, all the minor arrangements of their session were as conformable as might be to ancient usage under the charter of the crown. But they assembled without the sanction of the authority therein prescribed. They were not the

legislative power in that instrument intended. The governour was excluded from any connexion with their deliberations. No approbation from the executive was sought for, in order to give efficacy to their resolves. They assumed the entire legislative and executive authority of the province. The governour and the royal charter under which he acted were effectually deposed.

This assembly of distinguished citizens, unsupported by military power, but resting with more security on the voluntary approbation of the people, constituted in effect the supreme power of a new commonwealth; and maintained it with consummate ability and eventual success. From the day of their first meeting the royal authority within the province of Massachusetts was forever at an end.

Historians in the splendour of those wonderful achievements, which accompanied the American revolution, have passed with too little attention this great event, in which it may be said to have commenced. The assembling of a provincial congress was in fact the beginning of that grand spectacle. Whatever preceded it was preparation for the astonishing event. Whatever followed it was the mode or the means of securing or confirming it. This was the revolution. The province by this act threw off its allegiance to the crown. The people by their delegates established a new political power. With steadiness, con-

fidence, prudence and moderation, they proceeded by their own authority to organize a government, which should endeavour to preserve for them their invaluable rights.

Appearances of respect for the crown were indeed preserved as far as possible, and there were undoubtedly timid and interested men in and out of the congress, who did not realize or were unwilling to admit the full character of this popular assembly ; but neither appearances of respect, nor professions of duty could disguise the undeniable fact, that one government had ceased, and another government had begun.

The earlier organization of the first continental congress, which met in Philadelphia on the fourth of September preceding, cannot be considered as anticipating the designs of this provincial assembly, or derogating from the honour to which it is entitled in the eyes of posterity. A convention of delegates from several of the provinces, for consultation on matters of common interest, was not unknown to the earlier history of the country ; and did not necessarily interfere with the allegiance of the subjects ; on the contrary, it was a measure tending rather to confirm and establish it. Thus the congress at Philadelphia, taking former similar assemblies as its guide, did not at first interfere with any lawfully established power. It did not come into collision with any of the prerogatives of the crown. Whatever the prophetic spirit of pa-

triotism might have expected from the wisdom which it collected, and the enthusiasm which it excited, it assumed for itself no exercise of sovereignty. Its session was peaceable, and beyond the danger of hostile aggression.

Not so the provincial congress of Massachusetts. Its organization was in opposition to the king's authority. It was so considered by the governor, who admonished the members that "their assembling as they had done was a violation of their own constitution."

The provincial congress met not for consultation merely, but action; and it proceeded to measures, which, had defeat ensued, would unquestionably have been termed overt acts of treason; and subjected the leading members to capital punishment.

With more than Spartan firmness this band of patriots voluntarily assumed the responsibility of their dangerous situation. In the very front of the formidable force which was collected in the metropolis, and in view of the tyrannical use which was made of it among their friends, unmoved by their own personal danger, and undismayed by an awful disparity of power, they made every honourable exertion which men could make, to rouse among their countrymen, and extend far and wide the spirit of resistance; and to provide the means for making this resistance effectual. In addresses and resolutions of the most impassioned eloquence

and overwhelming invective, they poured forth the complaints and resentment of a high minded, an enlightened and an oppressed people ; and satisfied that they could not

“Charm ache with air, nor agony with words,”

they laboured industriously to increase that physical ability, which should give efficacy to the high moral feelings they devoutly invoked.

CHAPTER V.

Measures of the Provincial Congress of 1774.....Its Committees.

REPRESENTATIVES in the general court of the province of Massachusetts were chosen by the several corporate towns of the province, the number from each town depending on its population. The right of election was rarely exercised to its full extent. The number of members at any one time, seldom exceeded one hundred and forty. In selecting delegates to the provincial congress, the same rule was observed, but the right was more generally exercised. Few towns were unrepresented, and the larger returned a full delegation. The whole number which convened were two hundred and forty-eight.

The first efficient measure of the congress was to secure the materials of war, and especially to obtain a supply of arms and ammunition, of which the province was lamentably deficient. They directed that taxes should no longer be paid to the treasurer of the province, but appointed a treasurer by their own authority, to whom the annual assessments were to be paid. They reorganized the militia, invited voluntary associations to be formed for instruction in the military art, appointed gene-

ral officers, and took such other measures as a provident foresight of the approaching crisis rendered expedient for the safety of their constituents.

According to the habit of the times, important affairs were intrusted to select committees, by whose intelligence and activity the necessary measures were arranged, often without reference to the appointing body. These committees, in the unsettled state of legal authority, exercised an executive power where it was useful, almost according to their discretion. The importance of the business of a committee was marked by the character of the individuals selected to compose it. The post of honour was always that of labour, and it might be of danger; and was assigned, not as a vain compliment to individual influence, but to call into full exercise the talents that it elevated.

On the organization of the assembly, a committee was appointed to consider the state of the province. Fourteen of the most distinguished members of the congress, among whom was Mr. Gerry, composed this committee. They published a bold and energetic appeal, which, in the form of an address to governour Gage, was calculated to justify the authority they had assumed, to awaken their constituents to the dangers which they feared, and to rouse them to a sense of the injuries they had sustained. They professed their loyalty to the crown, and their disposition for tranquillity and peace; but they affirmed, that the regal power was

exerted to harass and enslave them, and had ceased to be a blessing. They enumerated, in strong terms, the evils, under which they were suffering, and claimed a discontinuance of the offensive measures which produced them, as the only way to preserve the peace of the community.

Not contented with a mere proclamation of their rights, the congress appointed a committee of safety to preserve them. This was a kind of executive commission, whose power was almost as unlimited as the Roman dictators, "*ne quid detrementi capiat respublica.*" Mr. Gerry was of course a member of this committee.

It is to the credit of the individuals, of whom this and the several other committees for action were composed, that in the arduous and delicate duties which the occasion required, when energy on their part might operate injuriously on private rights, and hesitation be fatal to the public interest; when before them was an exasperated military power, and around them open adherents of the crown, or timid friends and vacillating advisers; when the generally prevailing spirit of the people often outstripped the limits of prudence, and required, in particular cases, to be restrained and controlled, as often as to be urged on and excited; when the civil authority, which had lost the usual badges of its power, was necessarily silent, and difficulties of such novel and perplexing character were constantly recurring as might justify depart-

ure from the common paths of ordinary justice, they were able to conduct the affairs intrusted to them, and preserve at the same time their popularity and their integrity. It is the consequence of war, particularly civil war, that the rights of un-offending and peaceable citizens are oftentimes sacrificed for the benefit of the dominant party, whichever by the fortune of the day may happen to be so, while the existing authority appropriates for itself or the public, whatever property is sufficiently of value to attract its notice.

That cases of this sort must have occurred in the progress of the American revolution, is not now to be questioned ; but wherever they did occur during that period, when under the direction of the provincial congress, the spirit of patriotism supplied the place of law, they were found to have resulted from circumstances which exonerated the individuals of the committee from all suspicion or complaint. Indeed the whole period of the controversy with the mother country is marked by a regard for private rights, worthy of the cause in which the people were engaged, and nowhere is that general feeling more deserving of commendation than in the conduct of the committee of safety even amid the frequent and imperious demands, which might sometimes have been an apology, if not a justification, for different conduct.

The course adopted by the committee of the provincial congress, was that which the opinion

of the body collectively indicated as the path of duty. In the novel and alarming situation of the country, the deliberations and acts of this band of patriots marked the prudence, the firmness, the intelligence and the strong American feeling by which they were influenced. Educated in principles of loyalty, and attached by habit and early associations to the monarchy, they had not originally any idea of national independence; but feeling a constitutional right to the enjoyment of British liberty, and conscious that the dignity of their own character required its preservation, they contented themselves with claiming nothing beyond their chartered rights, but did not hesitate, at any possible peril, to demand their entire possession. They were unwilling to be rebels, but they resolved not to be slaves.

This cautious course, required by loyalty on the one side and patriotism on the other, this opposition to the king's ministry and the laws of parliament, with a professed respect for the king's person and royal authority, it was difficult always to maintain. Regard for the rights of the province led them to oppose themselves to the rights of the crown, and it is probable that their early reverence for the royal authority might render them more circumspect in maintaining popular privileges. They do not, however, appear to have faltered in the work they began. Every moment of their remaining together was a continued violation of their

allegiance in the opinion of the governour, whose strong military force might have made his opinion their law. The courage they displayed in maintaining their principles, and the firmness, almost the rashness of their resolution to continue their sessions, implied a resource for protection not the less formidable because it was not immediately obvious, and discouraged the military representative of majesty from any hostile assault upon their personal liberty.

This first provincial congress continued its sessions, at intervals, until the tenth of December, when it was dissolved by its own authority.

CHAPTER VI.

Second Provincial Congress of Massachusetts.....Letters of John Hancock.

A NEW provincial congress, of which Mr. Gerry was a member, assembled in Cambridge, in February 1775 ; and after a few days' session adjourned to meet again in March.

Like their predecessors, this congress endeavoured by a well written and animating address to instruct the public mind, and excite and regulate that patriotic spirit which the emergency required. With the characteristic piety of their forefathers they set apart a day for religious duty, acknowledging the power of an overruling providence, and seeking from the goodness of Heaven that wisdom and strength, which were necessary for their safe conduct in the perilous condition of their country.

Though nearly the same persons were returned to this congress who had sat in the former, it was apparent from the tone of their speeches, and the measures they adopted, that a pacific termination of the existing troubles was no longer expected. They seemed to realize the arbitrary determination of the ministry to subject them to a

disgraceful vassalage, and they prepared themselves to resist it with the sword.

The British general with a view to possess himself of the continental military stores in Essex county detached a part of his troops from Boston by water to Marblehead, and thence through Salem to Danvers, but without success. The circumstance was mortifying to their pride, and proportionally excited the spirit of the provincials.

It was the occasion of the following letter.

MR. HANCOCK TO MR. GERRY.

BOSTON, FEB. 28, 1775.

DEAR SIR,

We are all extremely pleased at the conduct of Marblehead and Salem. The people there have certainly convinced the governour and troops that they will fight, and I am confident this movement will make the general more cautious how he sends parties out in future to attempt the like. The matter was conducted with the greatest secrecy. We knew nothing of it in town until 10 o'clock on Monday. I hear nothing of sending troops to York or any where else. Should any thing occur worthy of your notice you shall be informed. Mr. Adams and all friends are well, and much pleased with your conduct. I hope when the day of trial

comes we shall be enabled to stand firm. Do remember me to all friends. I wish you health and happiness, and am with sincere esteem,

Sir,

Your most humble servant,

JOHN HANCOCK.

Elbridge Gerry.

The personal compliment here bestowed refers to the alacrity of Mr. Gerry in joining the militia, which was prepared to make resistance if any had been necessary. It was owing to the caution of the British commander, and not to any want of effort or spirit on the part of the inhabitants, that Essex county is not distinguished for the first battle of the revolution.

There no longer remained a doubt that "the day of trial" was approaching. Men began to realize, that to preserve the constitutional liberties of the country it would be necessary to fight; and the resolution to meet the exigency when it arrived, was not the less decisive from the reluctance, with which its necessity was admitted.

The march of the British troops to Lexington and Concord sealed this resolution with blood.

Among the objects of this march one was to seize the persons of some of the influential members of the provincial congress, and to hold them

as hostages for the moderation of their colleagues, or send them to England for trial as traitors, and thus strike dismay and terror into the minds of their associates and friends.

A committee of congress, among whom were Mr. Gerry, colonel Orne and colonel Hancock, had been in session on the day preceding the march of the troops in the village of Menotomy, then part of the township of Cambridge, on the road to Lexington. The latter gentleman after the session was over had gone to Lexington. Mr. Gerry and Mr. Orne remained at the village; the other members of the committee had dispersed.

Some officers of the royal army had been sent out in advance, who passed through the village just before dark in the afternoon of the 18th of April, and although the appearance of similar detachments was not uncommon, these so far attracted the attention of Mr. Gerry, that he despatched an express to colonel Hancock, who with Samuel Adams was at Lexington. The messenger passed the officers by taking a by-path, and delivered his letter. The idea of personal danger does not seem to have made any strong impression on either of these gentlemen. Mr. Hancock's answer to Mr. Gerry bears marks of the haste, with which it was written, while it discovers that habitual politeness on the part of the writer, which neither haste or danger could impair.

MR. HANCOCK TO MR. GERRY.

LEXINGTON, APRIL 18, 1775.

DEAR SIR,

I am much obliged for your notice. It is said the officers are gone to Concord, and I will send word thither. I am full with you that we ought to be serious, and I hope your decision will be effectual. I intend doing myself the pleasure of being with you to-morrow. My respects to the committee.

I am your real friend,

JOHN HANCOCK.

Mr. Gerry and colonel Orne retired to rest without taking the least precaution against personal exposure, and they remained quietly in their beds until the British advance were within view of the dwelling house. It was a fine moonlight night, and they quietly marked the glittering of its beams on the polished arms of the soldiers as the troops moved with the silence and regularity of accomplished discipline. The front passed on. When the centre were opposite to the house occupied by the committee, an officer and file of men were detached by signal, and marched to-

wards it. It was not until this moment they entertained any apprehension of danger. While the officer was posting his files the gentlemen found means by their better knowledge of the premises to escape, half dressed as they were, into an adjoining corn-field, where they remained concealed for more than an hour, until the troops were withdrawn. Every apartment of the house was searched "for the members of the rebel congress"; even the beds in which they had lain were examined. But their property, and among other things a valuable watch of Mr. Gerry's, which was under his pillow, was not disturbed.

The provincial congress re-assembled in three days after the affair of Lexington and Concord. They denounced the governour as an enemy of the province, and absolved the people from all obligation to obey his commands. But it suited the deliberate and cautious policy, by which with singular good judgment they were governed, to distinguish between the acts of the governour as an instrument of ministers, and the orders of the crown, which they professed to believe could never authorize his arbitrary acts of violence and oppression.

Governour Gage followed this measure by his famous proclamation of the 12th of June, in which he declares the whole province to be in a state of rebellion, but invites the people to return to their allegiance, and promises the king's gracious par-

don to all who may solicit the favour, "excepting from the benefit of such pardon Samuel Adams and John Hancock, whose offences are of too flagitious a nature to admit of any other consideration than that of condign punishment."

The selection of these distinguished citizens, which an American historian has in reference to other prominent and distinguished advocates of the popular cause called "rather accidental than judicious," instead of subjecting them to the evils which it threatened, gave them an additional hold on the confidence and affection of their countrymen, and enrolled them "*primi inter pares*" in the great councils of patriotism and constitutional liberty.

The proclamation of general Gage excited the indignation and the ridicule, the invective and the wit of those, for whose admonition it was made. It was a theme, on which the poetry of Trumbull was successfully exerted to amuse, as was the eloquence of the leaders of the provincial congress to instruct and elevate the public mind. It seems to have been considered as the climax of all possible folly, as well as of oppression; and by the advantage taken of it by the patriots of that day, did as much to confirm the resistance it denounced, as the acts of the military force on the 19th of April.

The language of the proclamation is indeed ob-jurgatory, and its epithets coarse and severe. It speaks of "infatuated multitudes, who had long

suffered themselves to be conducted by well-known incendiaries and traitors in a fatal progression of crimes against the constitutional authority of the state. The authors of the present unnatural revolt," the proclamation adds, "never daring to trust their cause or their actions to the judgment of an impartial public, or even to the dispassionate reflection of their followers, have uniformly placed their chief confidence in the suppression of truth ; and while indefatigable and shameless pains have been taken to obstruct every appeal to the real interests of the people of America, the grossest forgeries, calumnies and absurdities that ever insulted human understanding have been imposed on their credulity. The animated language of ancient and virtuous times, calculated to vindicate and promote the just rights and interest of mankind, has been applied to countenance the most abandoned violation of those sacred blessings, and not only from the flagitious prints but from the popular harangues of the times, men have been taught to depend upon activity in treason for the security of their persons and property, till to complete the horrid profanation of terms and ideas, the name of God has been introduced in the pulpits to excite and justify devastation and massacre."

This was indeed more the language of passion than judgment. It spoke more for revenge than for dignity. But the declaration that a rebellion existed, was rather too long delayed for the success

of the royal cause, than prematurely announced ; and although the conduct of the ministerial officer was marked by a thousand instances of petty vexation and irritating management, it was deficient in that bold and prompt determination of decisive measures, which a more adventurous commander would have undertaken, or one better acquainted with the destitute condition of the provincials would have earlier and more vigorously pursued. The spirit of a great people might not indeed have been destroyed had their forces been beaten in battle, but discomfiture and defeat in the early stages of resistance would have done much to dishearten the opposition, and to have gathered round the royal standard many of that large class, who never choose the party of the weakest. To the want of an energetic exertion of civil and military power by the royal commanders, and to that delusion of their minds, which is the precursor of destruction, were owing in no small degree the strength of the popular sentiment, and the ability of the republican leaders to keep up the spirit of the people.*

It could not have been necessary for the English

* In general Gage's account of the affairs at Lexington and Concord, he says, "the troops were very much annoyed and had several men killed and wounded by the rebels firing from behind walls, ditches, trees, and other ambushes." This was mentioned to Dr. Franklin as evidence that his countrymen were deficient in courage. "I beg to enquire," said the doctor, "if these same walls had not two sides to them?"

general and governour to have waited for the blood at Lexington and Concord, to convince him that force only would preserve the authority he was deputed to maintain. The provincial congress had among other measures on the fifth of April organized, as far as their resolves could do it, a provincial military force, and published their "rules and regulations for the Massachusetts army." In doing this, they speak in the glowing language of all their public proclamations. "Whereas," says this state paper, "the lust of power, which of old oppressed, persecuted and exiled our pious and virtuous ancestors from their fair possessions in Britain, now pursues with tenfold severity us their guiltless children, who are unjustly and wickedly charged with licentiousness, sedition, treason and rebellion, and being deeply impressed with a sense of the almost incredible fatigues and hardships our venerable progenitors encountered, who fled from oppression for the sake of civil and religious liberty for themselves and their offspring, and began a settlement here on bare creation at their own expense, and having seriously considered the duty we owe to God, to the memory of such invincible worthies, to the king, to Great Britain, our country, ourselves and posterity, do think it an indispensable duty by all lawful ways and means in our power to *recover*, maintain, defend and preserve the free exercise of all those civil and religious rights for which many of our

forefathers fought, bled and died, and to hand them down entire for the free enjoyment of the latest posterity. And whereas we are frequently told by the tools of administration, dupes to ministerial usurpation, that Great Britain will not in any degree relax in her measures until we acknowledge her right to make laws binding upon us in all cases whatsoever; and that if we refuse to be slaves, and if we persist in our denial of her claim, the dispute must be decided by arms, in which it is said by our enemies we shall have no chance, being undisciplined, cowards, disobedient, impatient of command, and possessed of that spirit of leveling, which admits of no order, subordination, rule or government," therefore they resolve to organize a military force and provide articles for its government in actual service.

Whether the British governor or those disaffected citizens, by whom his councils were influenced, did or did not believe that these paper resolutions would be acted out upon the field, there can be little doubt that the resolutions themselves would have justified any exertion of military power; and it may be now well considered as among the providential blessings of the day, that the boldness and energy of the patriots of the revolution were not earlier met by a corresponding spirit on the part of the enemy, with whom they were called to contend.*

* There was a strange ignorance of the American character among the British officers, which they had been long enough in

The movements of the enemy's forces in the field now imperiously drew the attention of the popular leaders to the condition of their armory. Almost every article required for the approaching contest was yet to be procured. There were no magazines of arms, and very little ammunition. No contracts for provision or clothing had been made, and money was an article almost unknown. The provincial congress lost no time in appointing a committee to be charged with the duty of endeavouring to obtain necessary supplies, at the head of which was Mr. Gerry.

The procuring of gunpowder admitted of no delay. The committee charged Mr. Gerry with the duty of obtaining it. After giving him the most precise and particular instructions according to the manner customary on less pressing occasions, they curiously add the following postscript to their letter.

—Sir: You are also desired, if powder is to be found in any part of America, to procure it in such way and manner as you shall think best, and we will confirm whatever you shall do relative to this matter.

BENJAMIN LINCOLN, *Per order.*

the country to have removed. On 19th April, one lieutenant Gould, of the British army, was taken prisoner. He had a property of 1900*l.* per annum, and was so impressed with the horror of his condition as a prisoner to the rebels, that he offered 2000*l.* for his immediate ransom. He was afterwards exchanged for an old man named Breed, who had a large family.

Almon's Remembrancer, vol. i. p. 82.

With this unrestricted commission, and excited by the strong necessity there was to execute the charge with success, Mr. Gerry undertook to procure this essential article. Besides his own personal exertions, which were unremitted and indefatigable, he did not hesitate in many cases to advance his own funds where immediate payment was required, and to incur responsibilities on his own credit, which the province was then unable to redeem. In the progress of the war the evidence of many of these payments were lost or mislaid, and their final settlement was attended with heavy pecuniary loss.

CHAPTER VII.

Correspondence on the state of the Province with the Delegates in Congress at Philadelphia.

THE means that were taken to procure the essential articles of war show not only the deplorable deficiency of the provincial store-houses, but the ignorance, which prevailed, as to every thing relating to the manufacture of gunpowder.

MR. GERRY TO THE MASSACHUSETTS DELEGATES
IN CONGRESS, AT PHILADELPHIA.

WATERTOWN, JUNE 4, 1775.

GENTLEMEN,

A public express for your honourable body gives me opportunity to hand you information of the affairs of this province. From the confusion, in which the engagement at Lexington threw the people, they are now beginning to recover, and I hope by the speedy assistance of some form of government that the measures, which will be necessary for defence, will not only be practicable, but executed here with success. The spirit of the people is equal to our wishes, and if they continue as they began, it will be as familiar to fight

as to pursue the dangers of the ocean. We want assistance by ammunition and money. A full supply of these would render lord North and his myrmidons as harmless as they are infamous. We have stripped the seaports of canvass to make tents; and it is of great importance to possess ourselves of about five hundred pieces of raven's duck to keep the soldiers in health. I should be glad if the bearer could obtain it on the credit of our vote, as we want all our specie to send out of the government for other purposes; but I am doubtful whether you can assist us in this matter although very important, as the great objects of your attention must take up your whole time.

Government is so essential that it cannot be too soon adopted; and although no argument can be necessary to convince you of so plain a truth, yet it may not be amiss to hint a matter which can only be discovered by being where it has taken place. The people are fully possessed of their dignity from the frequent delineation of their rights, which have been published to defeat the ministerial party in their attempt to impress them with high notions of government. They now feel rather too much their own importance, and it requires great skill to produce such subordination as is necessary. This takes place principally in the army; they have affected to hold the military too high, but the civil must be first supported, and unless an established form of government is pro-

vided it will be productive of injury. Every day's delay will make the task more arduous.

We want also a regular general to assist us in disciplining the army, which in twelve months' time, and perhaps less, by frequent skirmishes may be brought to stand against any troops, however formidable they may be, with the sounding names of Welsh fusileers, grenadiers, &c. And although the pride of our people would prevent their submitting to be led by any general not an American, yet I cannot but think that general Lee might be so established as to render great service by his presence and councils with our officers. I should heartily rejoice to see this way the beloved colonel Washington, and do not doubt the New-England generals would acquiesce in showing to our sister colony Virginia, the respect, which she has before experienced from the continent, in making him generalissimo.

This is a matter in which Dr. Warren agrees with me, and we had intended to write you jointly on the affair.

The letter from our joint committees and the generals to the congress will come before you, and nothing further is necessary on this head.

I remain, gentlemen, with great respect,

Your obedient servant,

ELBRIDGE GERRY.

*To the honourable members of the continental
congress from Massachusetts Bay.*

MR. PAINE, MEMBER OF THE CONTINENTAL CONGRESS, TO MR. GERRY.

PHILADELPHIA, JUNE 10, 1775.

MY VERY DEAR SIR,

I cannot express to you the surprise and uneasiness I received on hearing the *congress express* respecting the want of gunpowder ; it always was a matter that lay heavy on my mind ; but the observation I made of your attention to it, and your alertness and perseverance in every thing you undertake, and your repeatedly expressing it as your opinion that we had probably enough for this summer's campaign, made me quite easy. I rely upon it, that measures are taken in your parts of the continent to supply this defect. The design of your express will be zealously attended to I think. I have seen one of the powder mills here, where they make excellent powder, but have worked up all the nitre ; one of our members is concerned in a powder mill at New-York, and has a man at work making nitre. I have taken pains to enquire into the method. Dr. Franklin has seen salt-petre works at Hanover and Paris ; and it strikes me to be as unnecessary after a certain time to send abroad for gunpowder as for bread, provided people will make use of common understanding and industry ; but for the present we

must import from abroad. Major Foster told me at Hartford he suspected he had some land that would yield nitre; pray converse with him about it. Dr. Franklin's account is much the same as is mentioned in one of the first of the American Magazines: the sweepings of the streets and rubbish of old buildings are made into mortar, and built into walls, exposed to the air, and once in about two months scraped, and lixiviated, and evaporated; when I can describe the method more minutely I will write you; mean while give me leave to condole with you the loss of colonel Lee. Pray remember me to colonel Orne and all other our worthy friends. Pray take care of your important health, that you may be able to stand stiff as a pillar in our new government.

I must now subscribe with great respect and affection,

Your humble servant,

R. T. PAINE.

MR. CUSHING, MEMBER OF THE CONTINENTAL
CONGRESS, TO MR. GERRY.

PHILADELPHIA, JUNE 10, 1775.

SIR,

Dr. Church will bring with him a vote of the congress advising our people to consider the governour and lieutenant governour as absent, and

their offices vacant ; and further recommending it to the provincial congress to issue letters to all such places as are entitled to a representation to choose representatives, who when convened, are advised to choose counsellors agreeable to the charter ; which assembly, together with the counsellors that may be chosen, are advised to carry on the affairs of government until a governour of his majesty's appointment will consent to govern according to the directions of the charter. As to giving a credit to our provincial note and regulating the army, you will hear further from the congress soon. The bearer carries a recommendation to the other colonies to supply you with all the powder they can safely spare. In great haste,

I am, with respect,

Your most humble servant,

THOMAS CUSHING.

P. S. Pray let me hear from you soon concerning my dear country. Must refer you for particulars to Dr. Church.

Mr. Elbridge Gerry.

PRESIDENT OF CONGRESS TO MR. GERRY.

SUNDAY MORNING, JUNE 18, 1775.

DEAR SIR,

I have but a moment's time left to tell you, that your order for the duck, &c. cannot be com-

plied with, there being not enough here to make it worth while to think of sending; and indeed they are in want of the same articles here. I cannot inform you of the doings of congress in general, being under an injunction; but I am thus far indulged to mention, but by no means to be put in the newspaper at present, colonel Washington is appointed commander in chief of the continental army; I shall sign his commission tomorrow, and he will depart in a few days. He is a fine man. You will judge of the propriety of the mode of his reception. Ten companies of fine riflemen from this province, Maryland, and Virginia, are ordered to proceed immediately to your army; these are clever fellows. The committee of the whole congress have agreed upon a report for the immediate emission of two millions of dollars upon the faith of the continent. Remember me to Mr. Gill, Pitts, Cooper, and all friends.

Adieu, I am almost worn out.

I am your real friend,

JOHN HANCOCK.

CHAPTER VIII.

Joseph Warren.....Arrival of General Washington at Cambridge.....Letters from the Massachusetts Delegates.

WHILE the provincial congress was in session at Watertown, the battle most celebrated in the history of the revolution was fought at Bunker Hill. Joseph Warren, then president of congress, died there, filling a greater space in the eye of the public than any who had before fallen in the cause of the country. Dr. Warren had been the companion and room-mate of Mr. Gerry ; they lodged in the same chamber. He intrusted to Mr. Gerry alone the secret of his intention to be on the field, and with something of a presentiment of his fate, replied to the admonition of his friend, "*Dulce et decorum est pro patria mori.*"*

* Dr. Joseph Warren was one of Mr. Gerry's most intimate personal companions. A similarity of taste, disposition and principles, connected them in the closest habits of friendship. They were so frequently together, that letters on political affairs could rarely pass between them.

The public character of this eminent patriot is consecrated by the memorable manner of his death. A volunteer in the ranks, which he was soon to command, he sought opportunity of acquiring military information, and lost in its acquisition a life devoted to his country ; or a pilgrim in the cause of humanity, he fell a sacrifice to the beneficent desire of alleviating the suffer-

Events, which fill mankind with admiration, frequently occur without producing an excitement upon their immediate agents. The prospect of

ings of his fellow citizens. It is not yet, and may never be well ascertained, whether Dr. Warren repaired to Bunker Hill to exercise, from motives of benevolence, the duties of the profession he adorned, or to prepare himself in the school of experience for the future duties of a soldier. There is some reason for believing it was as much the kindness of the physician as the zeal of the general, which carried him to the fatal heights.

Dr. Warren possessed uncommon firmness in situations of danger. The commemoration of the anniversary of the massacre in Boston by the British soldiers on 5th March 1770, excited great indignation among the king's officers, and it was distinctly intimated on its recurrence in 1775, that no one, who consulted his personal safety, would appear as the orator of the town. This threat served as an inducement to Dr. Warren to undertake the task, which he had once before performed, and he delivered his celebrated oration on the fifth anniversary of that fatal event, before an immense crowd in the Old South church.

The pulpit stairs (said an eye witness to the writer) were occupied by British officers. One of them was ostentatiously playing with a couple of musket balls, which he occasionally threw up and caught in his hand. A solemn silence pervaded the whole assembly. The speaker seemed absorbed by his subject, and indifferent to every thing but his theme. It was momentarily expected by us that some interruption would take place. In a few minutes a drum was heard. Was it the signal for another outrage? It approached, and its sound broke the attention of the audience. With a countenance displaying the indignant feelings, which the subject excited, his arm outstretched in an attitude of dignity, the orator paused till the noise should subside and leave him at liberty to be heard again by the people. There was a slight movement round the house, the effect of intense interest; for not a hair of his head would have been hurt without most signal revenge.

The interruption was occasioned by changing guard, or some other usual military movement, and the oration proceeded with-

such a battle, however clear to a military eye, seems not to have been realized by the delegates at Watertown. The army at Cambridge rested on their arms with an excuse, the fallacy of which is so apparent that it is difficult to believe it was ever considered satisfactory ; and the report of the result, forwarded two days afterwards to the delegates at Philadelphia, is so incorrect in its account and deficient in its details, that it can hardly be supposed the greatness of the event was understood, or that its importance through all future ages of the republic was in any degree realized. Had the glory of that field been anticipated, it is not to be believed that of so many ardent patriots as

out further inconvenience. It was supposed indeed, in the jealous feelings of the time, to have been intended to produce an alarm, without actually incurring the odium of doing so.

Dr. Warren was a man of amiable private character, remarkably elegant in his personal appearance, fond of pleasure, and devoted as much to classical studies as professional learning ; but learning, literature and pleasure held no competition with patriotism. There was a freedom and firmness in his manners, which rendered him exceedingly popular. He was " grand master of all the ancient masons through North America," at the time of his death ; and at the request of the grand lodge, his body was disinterred, and reburied with suitable honours in Boston, on 8th April 1776. An oration was delivered on that occasion by the present attorney general of Massachusetts, the honourable Perez Morton, which is thought to rank with the finest productions of American eloquence.

Death mocks the efforts of mankind to preserve the perishable remains of mortality. It has not only been doubted whether the bones that were exhumed for that solemn ceremony were the true relics, but where these even were placed on their second interment.

were assembled in the vicinity, Dr. Warren would alone have had the honour of adding to the danger of being in the councils, that of engaging in the military service of his country ; nor that they who had arms in their hands within sound of the cannon, would have been restrained from endeavouring to have turned the tide of battle, and triumphing in the victories of their country.*

In July, general Washington, who had been appointed by the continental congress commander in chief of the army, arrived at Cambridge, and delivered the following letters to Mr. Gerry.

MR. J. ADAMS TO MR. GERRY.

PHILADELPHIA, JUNE 18, 1775.

DEAR SIR,

I have at last obtained liberty, by a vote of congress, to acquaint my friends with a few of the things that have been done.

* While the American army was encamped at Cambridge, the mansion house and farm of the former lieutenant governor Oliver was occupied by the medical department. The soldiers, who were wounded at Bunker Hill and in subsequent skirmishes with the enemy, were carried there to be treated for their wounds. Many died and were buried in a field fronting the house.

The estate, after the war, came into the possession of Mr. Gerry, who held it at the time of his death. No ploughshare was ever permitted by him to disturb the ashes of the soldiers of the revolution. He considered it consecrated ground. It is to be regretted that some public measures have not been taken to protect it for the purpose to which it was originally appropriated.

The congress have voted, or rather a committee of the whole house have unanimously agreed, that the sum of two million dollars be issued in bills of credit, for the redemption of which in a certain number of years, twelve colonies have unanimously pledged themselves.

The congress has likewise resolved that fifteen thousand men shall be supported at the expense of the continent; ten thousand at Massachusetts, and five thousand at New-York; and that ten companies of riflemen be sent immediately, six from Pennsylvania, two from Maryland, and two from Virginia, consisting of sixty-eight privates in each company, to join our army at Boston. These are said to be all exquisite marksmen, and by means of the excellence of their firelocks, as well as their skill in the use of them, to send sure destruction to great distances.

General Washington is chosen commander in chief, general Ward the first major general, and general Lee the second (the last has not yet accepted), and major Gates adjutant general. Lee and Gates are experienced officers. We have proceeded no further as yet.

I have never, in all my lifetime, suffered more anxiety than in the conduct of this business. The choice of officers, and their pay, have given me great distress. Lee and Gates are officers of such great experience and confessed abilities, that I thought their advice, in a council of officers, might

be of great advantage to us ; but the natural prejudices, and virtuous attachment of our countrymen to their own officers, made me apprehensive of difficulties. But considering the earnest desire of general Washington to have the assistance of these officers, the extreme attachment of many of our best friends in the southern colonies to them, the reputation they would give to our arms in Europe, and especially with the ministerial generals and army in Boston, as well as the real American merit of them both, I could not withhold my vote from either.

The pay, which has been voted to all the officers, which the continental congress intends to choose, is so large, that I fear our people will think it extravagant, and be uneasy. Mr. Adams, Mr. Paine and myself, used our utmost endeavours to reduce it, but in vain.

Those ideas of equality, which are so agreeable to us natives of New-England, are very disagreeable to many gentlemen in the other colonies. They had a great opinion of the high importance of a continental general, and were determined to place him in an elevated point of light. They think the Massachusetts establishment too high for the privates, and too low for the officers, and they would have their own way.

I hope the utmost politeness and respect will be shown to these officers on their arrival. The whole army, I think, should be drawn up upon

the occasion, and all the pride, pomp and circumstance of glorious war displayed ;—*no powder burned, however.*

There is something charming to me in the conduct of Washington. A gentleman of one of the first fortunes upon the continent, leaving his delicious retirement, his family and friends, sacrificing his ease, and hazarding all in the cause of his country ! His views are noble and disinterested. He declared, when he accepted the mighty trust, that he would lay before us an exact account of his expenses, and not accept a shilling for pay. The express waits. Adieu. J. A.

MR. S. ADAMS TO MR. GERRY.

PHILADELPHIA, JUNE 22, 1775.

MY DEAR SIR,

Our patriotic general Washington will deliver this letter to you. The Massachusetts delegates have jointly given to him a list of the names of certain gentlemen, in whom he may place the greatest confidence. Among these you are one. Major-general Lee and major Mifflin accompany the general. They are a triumvirate which will please the circle of our friends. Mifflin is aid-de-camp to the general. I regret his leaving this city ; but have the satisfaction of believing that he will add

great spirit to our army. Time will not admit of my adding at present more than that I am

Your affectionate friend,

SAMUEL ADAMS.

Elbridge Gerry, Esq.

That an army of undisciplined militia should attempt to keep the field against a powerful body of regular troops, without powder enough to fire a salute in honour of their commanding general, shows what confidence they placed in the justice of their cause, and how great was the public spirit which could be relied upon as an equivalent for this *materièl* of war.

No formal declaration of hostilities had yet been made. The colonies still professed allegiance to the crown, and the dream of independence, if it had crossed the vision of the leading men of the times, was yet too indistinct and imperfect to be the subject of public discussion.

CHAPTER IX.

First measure of Naval Warfare.....Correspondence with John Adams.

THE commander in chief was every where received with cordiality and respect; but the addresses that were made to him expressed a belief in the temporary character of his command; and although on two fatal occasions the blood of the country had been poured out like water in open conflict with the armed troops of the king, the minds of the people had not shaken off their colonial vassalage. They were contented to be subjects; they asked only not to be slaves.

Some men in the grand assemblies which directed these important affairs, saw that a revolution had begun, and they knew the truth of a remark of later time, the sentiment of which then influenced their conduct, that "revolutions do not go backward." They became sensible that war was in fact waged, and that the issue of the conflict would depend on the vigour, with which it was maintained. These statesmen were disposed to secure to the colonies all the advantages of belligerents, and as an army was authorized on land,

they were inclined to prepare and commission a regular naval force to co-operate by sea.

Among the most determined of these was Mr. Gerry. Ardent and persevering in his natural disposition, he became warmed with additional zeal by circumstances, which daily came under his observation. His own fortune and fame he had early and freely embarked in the cause, and he was indefatigable in exciting a corresponding disposition in the minds of his associates, and giving to their common efforts the most powerful direction.

To do this he thought free opportunity should be allowed to the enterprise of a mercantile and military marine, which, under the authority of the province, should be authorized to capture and bring in for adjudication hostile property on the high seas. But the arrangements of such a plan were not free from formidable embarrassments. To grant letters of marque and reprisal is the prerogative of the sovereign, and for a colony to authorize such an act against its acknowledged sovereign, was certainly rebellious if not treasonable. The preparation of the Americans had hitherto been limited to self-defence. They had professed no other or further design; and it was not without serious question, whether the people were yet ready to sanction measures of a different character. But aggression is sometimes the best, and sometimes the only defence.

Impressed with the importance of the object, and trusting to the intelligence of the community to see and approve its advantages, Mr. Gerry proposed appointing a committee to prepare a law to encourage the fitting out of armed vessels, and to establish a court for the trial and condemnation of prizes. The measure was sustained, though not without opposition, and Mr. Gerry was of course chairman of the committee.

It was no slight difficulty to make this law appear even plausibly consistent with the provincial character of Massachusetts. The difficulty was suggested to Mr. Gerry by some gentlemen not so seriously impressed with its importance as he was. Never fear, said he, we will contrive to 'whereas' the matter into some reasonable form.

The law reported by this committee was passed by the provincial congress November 10, 1775, and is the first actual avowal of offensive hostility against the mother country, which is to be found in the annals of the revolution. It is not the less worthy of consideration as the first effort to establish an American naval armament. Its preamble is a curious effort to reconcile the theory of obedience and the fact of resistance; to maintain nominal allegiance with actual rebellion.*

* At a later day Mr. Gerry gave the following account of this law in a letter to Mr. Adams.

"This reminds me of an anecdote often told by the late governor Sullivan of an act, which was prepared by him and myself

In referring to this law, Mrs. Warren in her history of the revolution, calls it a "spirited measure contemplated by few." The arming and equipping ships (she says) to cruise on British property, was a bold attempt, that startled the apprehensions of many, zealously opposed to the exercise of British power.

President Adams, one of the great actors in this national drama, and whose correspondence has so often already illustrated its character and interest, commenting at a subsequent period on Mrs. Warren's history, remarks in a letter to Mr. Gerry, "I should have expected this ingenious lady would have inserted *your law*, which is one of the most important documents in the history of the revolution; but the above paragraph is all she says upon an event so extremely important to the salvation of her country at that time and this."

in the lobby of the Watertown meeting-house, where at that time the provincial congress held its session, the lobby being a small apartment, with a window, under the belfry. The act was to authorize privateering. The governour agreed to draw the act on condition that I should prepare the preamble. This I grounded on the royal charter of the province, which authorized us to levy war against the common enemy of both countries. Such we considered the British nation, with the ships of war and armies employed against us; and we, accordingly, as loyal subjects, used all the power given us by the charter to capture and destroy them. The governour said the act and its preamble was printed in the London Magazine, as a political curiosity."—*See Appendix A.*

“Is it not strange that one of the boldest, most dangerous, and most important measures and epochas in the history of the new world, the commencement of an independent national establishment of a new maritime and naval military power, should be thus carelessly and confusedly hurried over? Had the historian never read the law of Massachusetts, nor the journals of congress?”

“History is not the province of the ladies. Her three volumes nevertheless contain many facts worthy preservation.”

The success of the Massachusetts' cruisers justified the wisdom of this adventurous policy. The sea was covered with light armed vessels, and articles of essential consequence were captured, not more to the discomfiture of the enemy than for the relief and supply of the colonists. By successful enterprise on the element, on which they were familiar, the spirits of the people were excited, their wants supplied, their enemy distressed, and a prospect opened to them that the conflict, however unequal, would not be desperate. While these measures were pursued in Massachusetts, the congress at Philadelphia were beginning to move in the same concern. The following letter of enquiry will show that the honour of the first act belonged to Massachusetts.

MR. ADAMS TO MR. GERRY.

PHILADELPHIA, Nov. 5, 1775.

DEAR SIR,

I am under such restrictions, injunctions and engagements of secrecy respecting every thing which passes in congress, that I cannot communicate my own thoughts freely to my friends, so far as is necessary to ask their advice and opinions concerning questions, which many of them understand much better than I do. This, however, is an inconvenience, which must be submitted to for the sake of superiour advantages.

But I must take the liberty to say, that I think we shall soon attend to maritime affairs and naval preparations: no great things are to be expected at first, but out of a little a great deal may grow.

It is very odd that I, who have spent my days in researches and employments so very different, and who have never thought much of old ocean, or the dominion of it, should be necessitated to make such enquiries: but it is my fate and my duty, and therefore I must attempt it.

I am to enquire what number of seamen may be found in our province, who would probably enlist in the service, either as marines, or on board of

armed vessels, in the pay of the continent, or in the pay of the province, or on board of privateers, fitted out by private adventurers.

I must also entreat you, to let me know the names, places of abode and characters, of such persons belonging to any of the seaport towns in our province, as are qualified for officers and commanders of armed vessels.

I want to be further instructed, what ships, brigantines, schooners, &c. are to be found in any port of the province, to be sold or hired out, which will be suitable for armed vessels. What their tonnage, the depth of water they draw, their breadth, their decks, &c. and to whom they belong, and what is their age.

Further, what places in our province are most secure and best accommodated for building new vessels of force, in case a measure of that kind should be thought of. The committee have returned, much pleased with what they have seen and heard, which shows that their embassy will be productive of happy effects. They say the only disagreeable circumstance was, that their engagements, haste and constant attention to business was such as prevented them from forming such acquaintances with the gentlemen of our province as they wished. But as congress was waiting for their return before they could determine upon affairs of the last moment, they had not time to spare.

They are pretty well convinced, I believe, of several important points, which they and others doubted before.

New-Hampshire has leave to assume a government, and so has South Carolina ; but this must not be freely talked of as yet, at least from me.

New-England will now be able to exert her strength, which a little time will show to be greater than either Great Britain or America imagines. I give you joy of the agreeable prospect in Canada. We have the colours of the seventh regiment as the first fruits of victory.

JOHN ADAMS.

The recollections of distinguished men, who were concerned in laying the foundation of that national establishment, which is now the favourite and the pride of the people, may justify a departure from the chronological order of their letters for the purpose of introducing the following extracts connected with the origin of the American navy.

MR. ADAMS TO VICE-PRESIDENT GERRY.

QUINCY, JAN. 28, 1813.

Extract.

Philadelphia is now boasting that Paul Jones has asserted in his journal that " this hand hoisted

the first American flag ;” and captain Barry has asserted that “ the first British flag was struck to him.”

Now I assert that the first American flag was hoisted by John Manly, and the first British flag was struck to him. You were not in congress in 1775, but you was in the state congress, and must have known the history of Manly’s capture of the transport which contained the mortar, which afterwards on Dorchester heights drove the English army from Boston, and navy from the harbour. I pray you give me your recollections upon this subject. I wish to know the number of transports and merchant ships and their names, captured by Manly or any of his associates, in 1775–6.

As your time and thoughts must be employed upon subjects of much greater moment, I hope you will not give yourself any trouble about this little thing. Your first recollections will be sufficient. With cordial salutation to your fire-side, and fervent prayers for the success of your public energies, I am your old friend,

JOHN ADAMS.

VICE-PRESIDENT GERRY TO MR. ADAMS.

CAMBRIDGE, FEB. 9, 1813.

Extract.

Captain John Selman of Marblehead, has refreshed my memory by the following statement.

In the fall of the year 1775, general Washington commissioned Nicholas Broughton and himself, both living in Marblehead, the former as commodore of two schooners, one mounting 6 four-pound cannon, and manned by seventy seamen, and the other of less force, having only sixty-five men. The commodore hoisted his broad pendant on board the former, and Selman commanded the latter.

These vessels were ordered to the river St. Lawrence, to intercept an ammunition vessel bound to Quebec, but missing her they took ten other vessels and governour Wright, of St. Johns, all of which were released, as we had waged a ministerial war, and not one against our most gracious sovereign.

ELBRIDGE GERRY.

MR. ADAMS TO VICE-PRESIDENT GERRY.

QUINCY, FEB. 11, 1813.

DEAR SIR,

I am much obliged by your favour of the 9th, just received. Though I called the subject of my former letter a bagatelle, it is perhaps of some importance; for as a navy is now an object, I think a circumstantial history of naval operations in this

country ought to be written, even as far back as the province ship under captain Hollowell, &c. ; and perhaps earlier still.

Looking into the journal of congress for 1775, I find on Friday, September 22, 1775, congress resolved that a committee be appointed to take into consideration the state of the trade of America.

Monday, Sept. 25, 1775. Congress took into consideration the letters from general Washington, Nos. 5 and 6, and two others not numbered. Resolved, that a committee of three be appointed to prepare an answer. Mr. Lynch, Mr. Lee, and Mr. Adams were chosen. But our accurate secretary has not stated whether it was Samuel or John Adams.

Thursday, Oct. 5, 1775. Resolved, that a committee of three be appointed to prepare a plan for intercepting two vessels, which are on their way to Canada, laden with arms and powder ; and that the committee proceed on this business immediately.

Our correct secretary has omitted the names of this committee ; but if my memory has not created something out of nothing, this committee were Silas Deane, John Langdon and John Adams. On the same day, the committee appointed to prepare a plan for intercepting the two vessels bound to Canada, brought in a report, which was taken into consideration ; whereupon

“Resolved, that a letter be sent to general Washington, to inform him that congress, having received certain intelligence of the sailing of two north country-built brigs of no force, from England on the 11th of August last, loaded with arms, powder and other stores for Quebec, without convoy, which it being of importance to intercept, desire that he apply to the council of Massachusetts bay, for the two armed vessels in their service, and despatch the same with a sufficient number of people, stores, &c., particularly a number of oars, in order, if possible, to intercept the said two brigs and their cargoes, and secure the same for the use of the continent ; also any other transports laden with ammunition, clothing or other stores for the use of the ministerial army or navy in America, and secure them in the most convenient places for the purpose above mentioned ; that he give the commander or commanders such instructions as are necessary, as also proper encouragement to the marines and seamen that shall be sent upon this enterprise, which instructions are to be delivered to the commander or commanders sealed up, with orders not to open the same until out of sight of land, on account of secrecy.

That a letter be written to the said honourable council, to put the said vessels under the general's command and direction, and to furnish him instantly with every necessary in their power, at the expense of the continent.

That the general be directed to employ the said vessels, and others if he judge necessary, to effect the purposes aforesaid ; and that he be informed that the Rhode-Island and Connecticut vessels of force will be sent directly to their assistance.

That a letter be written to governour Cooke, informing him of the above, desiring him to despatch one or both the armed vessels of the colony of Rhode-Island on the same service, and that he use the precautions above mentioned.

That a letter be written to governour Trumbull, requesting of him the largest vessel in the service of the colony of Connecticut, to be sent on the enterprise aforesaid, acquainting him with the above particulars, and recommending the same precautions.

That the said ships and vessels of war be on the continental risk and pay, during their being so employed."

Friday, Oct. 6, 1775. The committee appointed to prepare a plan, &c. (i. e. a plan for intercepting vessels, &c.) brought in a further report, which was read ; ordered to lie on the table, for the perusal of the members.

Friday, Oct. 13, 1775. A letter from general Washington, dated 5th October, with sundry papers enclosed, was read.

The congress, taking into consideration the report of the committee appointed to prepare a plan, &c. after some debate, resolved that a swift sail-

ing vessel, to carry ten carriage guns and a proportionable number of swivels, with eighty men; be fitted with all possible despatch, for a cruise of three months, and that the commander be instructed to cruise eastward, for intercepting such transports as may be laden with warlike stores and other supplies for our enemies, and for such other purposes as the congress shall direct.

That a committee of three be appointed to prepare an estimate of the expense, and to lay the same before the congress, and to contract with proper persons to fit out the vessel.

Resolved, that another vessel be fitted out for the same purposes, and that the said committee report their opinion of a proper vessel, and also an estimate of the expense. The following members were chosen to compose the committee: Mr. Deane, Mr. Langdon and Mr. Gadsden. Resolved, that the further consideration of the report be referred to Monday next, (i. e. the report of the committee to prepare a plan, &c.)

Tuesday, Oct. 17, 1775. The committee appointed to prepare an estimate, &c. brought in their report, which after debate was recommitted.

Monday, Oct. 30. The committee appointed to prepare an estimate and to fit out the vessels, brought in their report, which being taken into consideration, resolved, that the second vessel ordered to be fitted out on the 13th instant, be of

such a size as to carry fourteen guns, and a proportionate number of swivels and men.

Resolved, that two more vessels be fitted out with all expedition ; the one to carry not exceeding twenty guns, and the other not exceeding thirty-six guns, with a proportionable number of swivels and men, to be employed in such manner, for the protection and defence of the united colonies, as the congress shall direct.

Resolved, that four members be chosen and added to the former committee of three ; and that these seven be a committee to carry into execution with all possible expedition, as well the resolutions of congress passed the 13th instant, as those passed this day, for fitting out armed vessels. The members chosen, Mr. Hopkins, Mr. Hewes, Mr. R. H. Lee and Mr. John Adams.

Nov. 2, 1775. Resolved, that the above committee be authorized to draw on the treasury for money, to agree with officers and seamen, &c. See the resolution at large, p. 213.

Nov. 23. The committee reported rules for the government of the navy, &c.

Nov. 25. Congress authorized privateering, &c. See the solemn act at large.

Nov. 28. Congress adopted the rules for the navy. See them in the journal.

Dec. 9. Congress established the pay of the navy.

Dec. 13. Congress resolved, on the report of the committee, to build thirteen ships; five of 32 guns, five of 28, and three of 24; and, Dec. 12th. appointed a committee of thirteen, one from each state, to do the business. I was gone home, by leave of congress; but I presume Barry and Jones were appointed by this committee.

General Heath, in his memoirs, page 30, says, Nov. 4, (1775), the privateers fitted out by the Americans about this time, began to send in a few prizes. Page 31, Nov. 30, he says, "intelligence was received from Cape Ann, that a vessel from England, laden with warlike stores, had been taken and brought into that place. There was on board one 13-inch brass mortar, 2000 stand of arms, 100,000 flints, 32 tons of leaden ball, &c. &c. A fortunate capture for the Americans! Dec. 2, the brass 13-inch mortar, and sundry military stores taken in the ordnance prize, were brought to camp."

Pray write to captain John Selman of Marblehead, and pray him to commit his recollections to writing. Broughton and Selman are important characters, and their ten prizes important events; as well as governour Wright. Pray let me have the act and the preamble; curiosities they are. Who was captain Burke and the other? Campbell and military stores, &c. These facts ought all to be ascertained. Heath was mistaken; privateers-

ing was not yet authorized by congress or the state.

Ever your's,

JOHN ADAMS.

His excellency Elbridge Gerry.

- P. S. What might Massachusetts, Connecticut and Rhode-Island not do, at this day, had they the patriotism of 1775 ?

MR. ADAMS TO VICE-PRESIDENT GERRY.

QUINCY, APRIL 14, 1813.

DEAR SIR,

I have received your favours of the 8th and 10th, and the volume of Benjamin Edes's Gazettes printed at Watertown between the 5th of June 1775, and the 9th of December 1776.

I am much obliged to you and to Mr. Austin, for the loan of this precious collection of memorials.

I read last fall and winter, The Scottish Chiefs, Thaddeus of Warsaw and The Exiles of Siberia, and Scott's Lay, Marmion and Lady ; and I must say with much interest and amusement ; but this volume of Gazettes and the journals of congress for the same period which I have lately ran over, have given me much more heartfelt delight. If these

volumes appear to you as they do to me, how can we wonder at the total ignorance and oblivion of the revolution, which appears every where in the present generation. All the Boston orations on the 4th of July that I have ever read or heard contain not so much of "the manners and feelings and principles which led to the revolution" as these two volumes of Gazettes and Journals.

The act printed in the Gazette of November 13, 1775, "In the sixteenth year of the reign of George the third, king, &c. an act for encouraging the fixing out of armed vessels to defend the sea coast of America, and for erecting a court to try and condemn all vessels that shall be found infesting the same," is one of the most important documents in history.* Why may not the Chronicle or the Patriot reprint this law? Surely this could be no libel. Neither editors nor printers need consult lawyers to know whether chief justice Parsons could find any expression in it, to give in charge to a grand jury.

The best care shall be taken of this volume, and it shall be returned to Mr. Austin, with thanks.

"Commodore Williams's record of our earliest privateers and prizes" will be received with gratitude: but I should be glad to see them in the Chronicle and Centinel.

* This is the title of the act drawn by Mr. Gerry and Mr. Sullivan as before stated.

Had I not been in congress at the time, and as anxious as Martha about many things, I should be ashamed to acknowledge that I am unacquainted with his person, character and residence.

I can conceive of no possible objection against the publication of these things at this time; except that they do too much honour to vice-president Gerry, and to the memory of the late governor Sullivan.

"Quorum pars magna fui" might be assumed by them with more propriety, than by your assured friend,

JOHN ADAMS.

Vice-president Gerry.

CHAPTER X.

Appointed Judge of Admiralty in Massachusetts.....Letter declining the Appointment.....Correspondence with Samuel Adams.....Private Life of the Members of the Provincial Congress.

IN pursuance of the design of the law of November 10, 1775, courts were established by the authority of the province for the trial and condemnation of prizes, and the lucrative place of maritime judge for the counties of Suffolk, Middlesex and Essex, was offered to Mr. Gerry. The following letter explains his reasons for refusing this honourable appointment.

MR. GERRY TO THE COUNCIL OF THE COLONY OF
MASSACHUSETTS BAY.

MARBLEHEAD, DEC. 9, 1775.

MAY IT PLEASE YOUR HONOURS,

I was notified by your secretary last evening, that your honours had appointed me to the place of maritime judge for the counties of Suffolk, Middlesex and Essex, and the information was received with gratitude and respect, as a repeated instance of your kindness towards me.

The appointment I consider as altogether arising from the favour of your honours, and not from any merit in myself; yet, diffident as I am of being able to discharge the duties with correctness, I should nevertheless feel bound to obey this unexpected call, if it did not militate with the public concerns in which I am engaged, and which appear to me of equal if not superiour importance.

As it will be impracticable for me to fill the office consistently with engagements to which I have referred, I beg leave to be excused from accepting the appointment, and flatter myself with your honours' approbation of the motives by which I am influenced.

I shall at all times take pleasure in supporting the authority of your honourable body, and in exerting myself to give efficacy to your measures, and am with great respect,

Your honours' obedient servant,

ELBRIDGE GERRY.

Military preparation did not wholly occupy the attention of the provincial congress of Massachusetts. With a prudent forecast they looked beyond the temporary state of things, and believing that they were establishing a new government, in which their posterity as well as themselves were

interested, were desirous of fixing it upon principles which wisdom might approve, and with a permanency that future generations might be permitted to admire.

MR. S. ADAMS TO MR. GERRY.

PHILADELPHIA, SEPT. 26, 1775.

MY DEAR SIR,

I arrived in this city on the 12th instant, having rode full three hundred miles on horseback, an exercise which I have not used for many years past. I think it has contributed to the establishment of my health, for which I am obliged to my friend Mr. John Adams, who kindly offered me one of his horses the day after we sat off from Watertown.

I write you this letter, principally to put you in mind of the promise you made me to give me intelligence of what is doing in our assembly and the camp. Believe me, sir, it is of great importance that we should be informed of every circumstance of our affairs. The eyes of friends and foes are attentively fixed on our province, and if jealousy or envy can sully its reputation, you may depend upon it they will not miss the opportunity. It behoves our friends, therefore, to be very circumspect, and in all their public conduct to convince the world, that they are influenced not by

partial or private motives, but altogether with a view of promoting the public welfare.

Some of our military gentlemen have, I fear, disgraced us; it is then important that every anecdote that concerns a man of real merit among them, and such I know there are, be improved, as far as decency will admit of it, to their advantage and the honour of a colony, which, for its zeal in the great cause, as well as its sufferings, deserves so much of America.

Until I visited head quarters at Cambridge, I had never heard of the valour of Prescott at Bunker's hill, nor the ingenuity of Knox and Waters in planning the celebrated works at Roxbury. We were told here that there were none in our camp who understood the business of an engineer, or any thing more than the manual exercise of the gun. This we had from great authority, and for want of more certain intelligence were obliged at least to be silent. There are many military geniuses at present unemployed and overlooked, who I hope, when the army is new modelled, will be sought after and invited into the service of their country. They must be sought after, for modest merit declines pushing itself into public view. I know your disinterested zeal, and therefore need add no more than to assure you that I am with cordial esteem,

Your friend,

SAMUEL ADAMS.

Elbridge Gerry, Esq.

MR. GERRY TO MR. ADAMS.

WATERTOWN, OCT. 9, 1775.

DEAR SIR,

I received your letter of September 26th. It gives me great satisfaction to hear that your ride on horseback has contributed to your health. I hope the friends of America, who are transacting the most important concerns of their country, will not find the want of so valuable a blessing.

I unite in your opinion that the eyes of friends and foes are fixed on this colony, and if jealousy or envy can sully its reputation they will not miss the opportunity. Great attempts have been made to do this by representing the expenses of the camp as unreasonable. These expenses have been great, but they only, who do not know our situation, would call them extravagant. Let it be remembered that the first attack was made on this colony; that we had to keep a regular force without the advantage of a regular government; that we had to support in the field from 12 to 14,000 men, when the whole forces voted by the other New-England governments amounted to 8,500 only. That New-Hampshire found it impracticable to support its own troops at so short notice, and was for a considerable time actually supplied with provisions from this province. That after

we had ransacked the seaports and obtained all that was not wanted for their immediate support, and had stopped two cargoes of flour owned in Boston, it was found that all the pork and grain in the government would not more than supply the inhabitants and the army until the new crops came in, and that there was no way left, unassisted as we were by the continent or any other colony, for we never had a barrel of continental flour to supply the army, but to write a circular letter to every town in the counties of Worcester, Hampshire and Berkshire, desiring them in the most pressing terms to send in provisions, and engaging that the inhabitants should be allowed the customary price in their respective towns, and the teamsters the usual rate for carting. But for this measure the forces of this colony and New-Hampshire must have dispersed.

My attention is directed to the fitting out of privateers, which I hope will make them swarm here. Is it not time to encourage individuals to exert themselves this way? General Gage before the commencement of hostilities destroyed or confiscated the provisions then collecting for the army, and can we hesitate at this time about the propriety of confiscating vessels employed by him to infest the coasts, or supply his troops, or can we doubt the propriety of encouraging individuals by giving them the advantage resulting from their reprisals, when it is certain that other plans will

not meet with such success as will probably attend this ?

If the continent should fit out a heavy ship or two, and increase them as circumstances shall admit, the colonies large privateers, and individuals small ones, surely we may soon expect to see the coast clear of cutters. The salt-petre discoveries are lately very great. Attention is paid here to the manufacture, and it is hoped that ere long the manufactory of powder will be equally promoted. When I say attention I mean the attention of individuals ; it is not yet generally practised through the government. Dr. Whiting is ordered to set up a leech here, that the members of the court seeing the process as by him reported may be able to direct works in the recess of the court in their respective towns.

The manufacture of fire-arms is not less an object of regard. A committee of both houses is upon the militia bills, and great attention ought to be paid to this matter. I wish to see the militia formed not only into battalions, but also brigades with brigadiers for each county to be under the direction of the generals of the continent whenever they are called to reinforce the army ; this adopted throughout America must be evidently advantageous whenever the enemy shall make incursions that must be repulsed by the militia, and such we may probably expect.

With respect to the army nothing new occurs,

unless it be the affair of Dr. Church, which continues as when I wrote Mr. Paine. He is confined under a guard of fifty men, without being permitted to communicate with any one. Numbers of flat bottom boats are building in Cambridge river to carry about fifty men each, but whether with design to go to Boston or otherwise, I know not. The camp is generally easy and healthy. Pray make my respects to your brethren from this colony, and believe me sincerely

Your most obedient,

And very humble servant,

E. GERRY.

P. S. Since closing the above, I observe by extracts from the prints that the parliament is adjourned and the ministry vigorous in their measures. If they are sending to Hanover for troops, as well as to Ireland, is it not time for us to think of alliances? We may depend on their pushing matters with the utmost violence, if the American tories can effect or they themselves dare to attempt it. The colonies are daily improving in the art of war, and will soon be invincible; but if foreign force is employed against us, we may be greatly puzzled, unless we endeavour at the same thing, especially by our want of military stores before our manufactures are further advanced. If any ill consequence from such a measure be dreaded, may it not be asked, what consequence can be

more miserable to America than its subjugation? What is more to be dreaded? What more fatal? We have hitherto been foremost in our plans. I hope the same spirit will continue.

MR. S. ADAMS TO MR. GERRY.

PHILADELPHIA, OCT. 29, 1775.

MY DEAR SIR,

I wrote to you a few days ago by young Mr. Brown, and then acknowledged your favour of the 9th instant.

You tell me that a committee of both houses of assembly is appointed to bring in a militia bill. I am of your opinion, that this matter requires great attention, and I wish with you to see our militia formed not only into battalions, but also brigades. But should we not be cautious of putting them under the direction of the generals of the continent, at least until such a legislative shall be established over all America, as every colony shall consent to?

The continental army is very properly under the direction of the continental congress. Possibly, if ever such a legislative should be formed, it may be proper that the whole military power in every colony should be under its absolute direction. Be that as it may, will it not till then be prudent that the militia of each colony should be and remain under

the sole direction of its own legislative, which is and ought to be the sovereign and uncontrollable power within its own limits or territory? I hope our militia will always be prepared to aid the forces of the continent in this righteous opposition to tyranny. But this ought to be done upon an application to the government of the colony. Your militia is your natural strength, which ought under your own direction to be employed for your own safety and protection. It is a misfortune to a colony to become the seat of war. It is always dangerous to the liberties of the people to have an army stationed among them, over which they have no control. There is at present a necessity for it; the continental army is kept up within our colony, most evidently for our immediate security. But it should be remembered that history affords abundant instances of established armies making themselves the masters of those countries, which they were designed to protect. There may be no danger of this at present, but it should be a caution not to trust the whole military strength of a colony in the hands of commanders independent of its established legislative.

It is now in the power of our assembly to establish many wholesome laws and regulations, which could not be done under the former administration of government. Corrupt men may be kept out of places of public trust; the utmost circumspection I hope will be used in the choice of men for public

officers. It is to be expected that some who are void of the least regard to the public, will put on the appearance and even speak boldly the language of patriots, with the sole purpose of gaining the confidence of the public, and securing the loaves and fishes for themselves or their sons or other connexions. Men who stand candidates for public posts, should be critically traced in their views and pretensions, and though we would despise mean and base suspicion, there is a degree of jealousy which is absolutely necessary in this degenerate state of mankind, and is indeed at all times to be considered as a political virtue. It is in your power also to prevent a plurality of places incompatible with each other being vested in the same persons. This our patriots have loudly and very justly complained of in time past, and it will be an everlasting disgrace to them if they suffer the practice to continue. Care I am informed is taking to prevent the evil with as little inconvenience as possible, but it is my opinion that the remedy ought to be deep and thorough.

After all, virtue is the surest means of securing the public liberty. I hope you will improve the golden opportunity of restoring the ancient purity of principles and manners in our country. Every thing that we do, or ought to esteem valuable, depends upon it. For freedom or slavery, says an admired writer, will prevail in a country according

as the disposition and manners of the inhabitants render them fit for the one or the other.

P. S. Nov. 4th. Yesterday the colours of the 7th regiment were presented to the congress. They were taken at Fort Chamblee; the garrison surrendered prisoners of war to Major Brown of the Massachusetts forces, with one hundred and twenty-four barrels of gunpowder! May heaven grant us further success.

MR. GERRY TO MR. ADAMS.

WATERTOWN, DEC. 13, 1775.

DEAR SIR,

With pleasure I received your letter of October 29th, relative to the militia and other subjects equally important. When writing on the subject of the militia, I proposed they should be under the command of a continental general in case of their being raised to reinforce his army, and upon the supposition that this must require an act of the court of the colony whose militia should be thus raised. A continental general as such, I am clearly of opinion, ought not to have any command of the militia. It is by no means necessary for general defence. It would lead a principal servant of the government to forget his station, and conceive himself its master; but since, in military operations,

it is absolutely necessary to have but one head, each assembly would find it necessary that the commanding officer of the army, which their militia should occasionally reinforce, should take the command of such part as they might order to his assistance, and this during the pleasure only of such assembly, upon which plan he would, as to this, be in effect a colonial officer. We already see a growing thirst for power in some of the inferiour departments of the army, which ought to be regulated so far as to keep the military entirely subservient to the civil in every part of the united colonies.

Your sentiments on the choice of men for public offices are extremely just. The jealousy you speak of is plentifully produced in our house of representatives. This is so natural to their habits, and toryism so noxious, that an enemy to America might as well attempt to scale the regions of bliss, as to insinuate himself into the favour of the assembly; but I should be glad to see a sufficient guard against the choice of men on account of pecuniary recommendation. It is happy to find a man independent in his fortune, of good sense and true patriotism filling a public office; but when the last is wanting, the possession of the first is an evil. Notwithstanding which, there have been instances in this government of persons chosen into public office, who might have lived till the millenium in silent obscurity, had they depended

on their mental qualifications to bring them into public view.

With respect to incompatible offices, a bill is on foot to prevent this evil, and particular care will be taken to exclude gentlemen of the army from the legislative, that military influence may never reach the senate.

History can hardly produce such a series of events as have taken place in favour of American opposition. The hand of Heaven appears to have directed every occurrence. Had such an event as lately occurred in Essex happened to Cromwell, he would have published it as a miracle in his favour, and excited his soldiers to enthusiasm and bravery.*

The manufacture of salt-petre is increasing. We shall be greatly served, if a plan of the Philadelphia powder mills can be sent us, which, Mr. Revere tells me, the owner was so selfish as to refuse, without a reward of one hundred half joannes.

Your very true friend,
ELBRIDGE GERRY.

* Alluding to a statement in the public prints, that some papers thrown overboard from a privateer at sea, were fished up and brought into port many days afterwards by another vessel.

MR. S. ADAMS TO MR. GERRY.

PHILADELPHIA, JAN. 2, 1776.

MY DEAR SIR,

Your very acceptable letter of the 13th of December is now before me. Our opinions of the necessity of keeping the military power under the direction and control of the legislative, I always thought were alike. It was far from my intention in my letter to you on the subject, to attempt the correcting any imagined error in your judgment, but rather shortly to express my own apprehensions at this time, when it is become necessary to tolerate that power, which is always formidable, and has so often proved fatal to the liberties of mankind.

It gives me great satisfaction to be informed, that the members of the house of representatives are possessed of so warm a spirit of patriotism, as that "an enemy to America may as well attempt to scale the regions of bliss, as to insinuate himself into their favour." Whatever kind of men may be denominated enemies to their country, certainly he is a very injudicious friend to it, who gives his suffrage for any man to fill a public office, merely because he is rich; and yet you tell me there are recent instances of this in our government. I confess it mortifies me greatly. The giving such a prefer-

ence to riches is both dishonourable and dangerous to a government. It is indeed equally dangerous to promote a man to a place of public trust only because he wants bread, but I think it is not so dishonourable; for men may be influenced to the latter from the feelings of humanity, but the other argues a base, degenerate, servile temper of mind. I hope our country will never see the time, when either riches or the want of them will be the leading considerations in the choice of public officers. Whenever riches shall be deemed a necessary qualification, ambition as well as avarice will prompt men most ardently to thirst for them, and it will be commonly said, as in ancient times of degeneracy,

*Quærenda pecunia primum est,
Virtus post nummos.*

“Get money, money still,
And then let virtue follow if she will.”

I am greatly honoured, if my late letter has been acceptable to the house. I hope the militia bill, to which that letter referred, is completed to the satisfaction of both houses of the assembly.

The account you give me of the success our people meet with in the manufacture of salt-petre is highly pleasing to me. I procured of a gentleman in the colony of New-York, the plan of a powder mill, which I lately sent to Mr. Revere. I hope it may be of some use.

I have time at present only to request you to write to me by the post, and to assure you that I am

Your affectionate friend,

SAMUEL ADAMS.

Elbridge Gerry, Esq.

It would be desirable, if it were practicable, to catch a view of the private manners of men, who seemed in their public life to feel that a controlling and all powerful interest connected them with the political destiny of the country, and that their fate and the fate of posterity was dependant on the fidelity of their conduct.

Few memorials of their private history now remain ; their letters, at least those which are preserved, related chiefly to public affairs. Some facts however come to us by tradition, and some insight may be gained by a knowledge of individual members.

There was at Watertown as in all public assemblies a great variety of character. The puritan party was strongly represented. There were many who had a holy horror of all the amusements of a profane world, and believed or affected to believe, that the sins of the country had brought upon it the awful visitations, under which it was suffering. They were desirous of placing themselves in strong contrast with the more free con-

duct of the tories and British officers. These latter were enacting, in Faneuil Hall, a "profane play," profane only because all theatrical entertainments were so considered, on the evening previous to the battle of Bunker Hill. It was subject of astonishment and grief too among many of the members at Watertown, that men who held their lives in their hands, should pass with unthinking levity from the play house to the field, and thence "unanointed, unannealed" to their great account.

The community did not follow out all the rigid sentiments of this party. While on many minds the existing condition of affairs was a very powerful and operating cause for religious seriousness, there was generated, in the unsettled state of things, motives and allurements for some relaxation of moral habits. Such however was the strong moral sentiment, which supplied the place of judicial authority now entirely prostrate, that great crimes were wholly unknown, and the smaller of unfrequent occurrence.

Among the members of the provincial congress, suspicion of levity in matters of religion, and every thing was then supposed to have some connexion with this subject, would have been fatal to an individual's influence. There were however many members in that assembly who had been accustomed to the elegancies and refinement of polished society. The king's government in Massachusetts had not indeed been able

to borrow the splendour of a court, but it had in some degree copied its etiquette and politeness, and possibly its less defensible manners. Distinctions existed in society not precisely consistent with republican equality, and a style of address and deportment distinguished those who considered themselves in the upper circle, which was visible long after the revolution had swept away all other relics of the royal government. This early habit induced some of the patriots at Watertown to indulge in a little more regard to dress than suited the economy of the stricter puritans, in a love for better horses, in a social party at dinner, or evening, in an attendance on balls and dancing parties, and in a fondness for female society of respectability and reputation.

It is not believed that what at this period would be considered dissipation either fashionable or vulgar, was chargeable on any of the members of the provincial congress, but there were young men among their most confidential leaders who incurred the reproof of their stricter brethren by not sufficiently marking a contrast between the monarchical and patriotic party.

Most men have their besetting sins. It might have been in vain that the necessity of reasonable relaxation was pleaded as an excuse for supposed frivolity. The examples of eminent men, their friends too, on the other side the Atlantic would have been urged as an excuse equally ineffectual,

when ample retaliation was taken by the offending members in finding some of the sternest of the irritated moralists drinking tea, and endeavouring to disguise this high crime and misdemeanour by having it made in a coffee pot ! This indulgence of taste at the expense of patriotism, this worse than bacchanalian intemperance prevented for a time any remarks on the "court imitations" of the backsliding brethren.

The members of the provincial congress lived in the families of the inhabitants of Watertown, and held their daily sessions in the meeting house on the plain. The congress opened early and adjourned for an hour to give the members time to dine at one o'clock. Two sessions were usually held every day, and committees were often engaged till midnight. The time, which could be caught from such fatiguing duty without neglecting it, might well be devoted to rational diversion.

A gentleman, who paid any attention to his toilet, would have his hair combed out, as is represented in our frontispiece, powdered and tied in a long queue, a plated white stock, a shirt ruffled at the bosom and over the hands, and fastened at the wrist with gold sleeve buttons, a peach bloom coat and white buttons, lined with white silk, and standing off at the skirts with buckram, a figured silk vest divided at the bottom, so that the pockets extended on the thighs, black silk small clothes with large gold or silver knee buckles, white cotton or

silk stockings, large shoes with short quarters and buckles to match. This dress sketched from the wardrobe of a member, was not peculiarly appropriate to occasions of ceremony, but assumed with more or less exactness by the fashionable gentlemen of the day.

The full bottomed wig, the red roquelot, and the gold headed cane, which are seen in some of our ancient pictures, belonged to an earlier period, and were at that time the appropriate habiliments of persons distinguished for their age and wealth. It is not many years since some examples of this antiquated fashion were recognised in venerable men, who belonged to those interesting times, and seemed to connect a past generation with the present. They have now it is believed ceased from any connexion with society, if indeed any of them still have a being on the earth.

At the period referred to great deference was paid to years, more to family and not less to fortune. Ancient habits could not at once be changed, and the forms of a society, which had been regulated by provincial imitation of English manners, continued to prevail. It was the effect of the revolution to break down these artificial distinctions, and to show that a man's influence should not be in proportion to family or wealth, but to the character of his mind and the motives of his conduct. The leaders of the revolution rose upon the ruins of anti-republican prejudices, and settled public

opinion in a more rational style, but they never attempted like the revolutionists of later times to confound all distinctions of society. While the equality of personal and political rights was a sacred article of their creed, they did not forget that a community by the immutable principles of its constitution must consist of the poor as well as the rich, of the ignorant as well as the educated, and of labouring classes as well as classes of comparative leisure. They did not forget that different opportunities and situations would produce different results on the manners as well as the mind. Allowing the state of society to which they had been accustomed, and the principles for which they were contending, to operate with their proper weight, the leaders of the revolution, whether in the cabinet or the field, generally acquired a dignity and at the same time a courtesy of deportment, which in the memory of those who have been acquainted with their character will entitle them to be received as the model of an American gentleman.

It has been remarked that the courts of justice were closed, and it is wonderful how society could be kept together when laws lost their sanction. But in the intercourse of the citizens peace and good order generally prevailed. The collecting of men in camp, and the removing of young men especially from the restraints of the neighbourhood in which they were known, could not be favoura-

ble to very exact morality. The power of the military arm was in itself an unpopular one. Indeed it had hardly strength enough to preserve the necessary discipline of the army, and would not readily exert itself when not required by military duty. When occasions presented, the members of the provincial congress exercised a kind of civil authority by something like common consent, more indeed because it was right that authority should be exerted than because they had any right to exert it. They proceeded individually or by two or three to hear, decide and punish in a very summary way; and by this interference, and more perhaps by a common opinion that they could interfere, those minor irregularities which appear in the best ordered government, and are never entirely absent from the vicinity of a camp, were in a good degree suppressed.

CHAPTER XI.

Elected to the Continental Congress.....Constitution and Character of that Assembly.

ON 9th February, 1776, Mr. Gerry, having been previously elected a delegate from Massachusetts to the continental congress, then in session at Philadelphia, took his seat in that illustrious assembly.

The importance of the situation in the opinion of his fellow-citizens of Massachusetts was not less than it has since become in the estimation of the world, and may be determined by the public character of those, on whom it had before been conferred.

“The recovery and establishment of our just rights and liberties, civil and religious, and the restoration of union and harmony between Great Britain and America,” claimed the exertion of the purest patriotism and the most incorruptible integrity, and called into exercise all the wisdom and firmness of the most eminent and able of our citizens. Liberty, property and life, character and fame, every thing that was dear to men in civil society were at hazard in the bold experiment of resistance, and safety was expected only in the councils of the most virtuous and intelligent and

honourable minds. It became necessary to call out the exertions of the people not merely by exhibiting the great objects for which they were contending, but the invaluable and imposing nature of the pledges which had been given for success. Hence all who were endeared to the affections of the community by their public or private virtues, they whose character or fortune or lives were pre-eminently hazarded in the struggle, were deputed to the dangerous duty of directing and maintaining measures, on which the ultimate success of the conflict would necessarily depend.

Accordingly the delegation to the first congress, in 1774, combined men highest in the esteem and confidence of their fellow-citizens. Massachusetts sent to that assembly Thomas Cushing, Samuel Adams, Robert Treat Paine, James Bowdoin, and John Adams, men whose weight of talent and character was suited to the arduous and responsible duties they were destined to perform. In 1775, Mr. Bowdoin declined a re-election, and John Hancock was appointed in his place. Mr. Cushing retired at the end of the same year, and was succeeded by Mr. Gerry.

The manner in which an office is sustained, rather than the favour by which it is acquired, is in general the criterion of character; but in the nearly unanimous appointment of Mr. Gerry, one of the youngest members of the provincial congress, with his proscribed and honourable col-

leagues to this distinguished station, which only the most eminent could occupy, is an imperishable record of his worth in the colony of Massachusetts. His whole time, indeed, had been devoted to the public from the organization of the provincial assembly. Measures of the highest importance, taxing to the utmost the integrity, firmness, and ability of the parties, had been the daily subject of discussion by men deeply interested in the result. Selected through the province for their talents and their zeal, and entering on their appropriate duties with an honourable rivalry, all the faculties of the mind, all the qualities of the heart by which honour and distinction may be claimed, had full and free opportunity for exercise in the assembly, of which, for three years, he had been an assiduous member. His election to a more extensive field of duty by such colleagues after such trial, and for the great objects then more distinctly in view, is a proof of the esteem and respect, in which they who knew him best were accustomed to hold him, and cannot but be taken into consideration in those occurrences of his subsequent life, where his firmness or ability, or the value of his public services have for political and party purposes been made the subject of discussion.

The continental congress, of which Mr. Gerry now became a member, was the source and centre of that power, which thenceforward conducted the

American revolution. The anarchy usually attending a change of government was prevented by the early organization of provincial assemblies, but confusion and collision among the assemblies or the provinces were happily prevented by the existence of this dignified convention. The members who composed it possessed the confidence and the esteem of the people. Its moderation reconciled the timid, its energy satisfied the bold, while the wisdom, the public spirit and private virtue of its collective character, secured to it an unbounded popularity.* The orderly spirit of an educated people lead them naturally to fall into sentiments and measures which had this respectable sanction, and secured the colonies in the whole course of their arduous conflict from the crimes of rapacity, cruelty or violence, which, in other countries and under different councils, have tracked the progress of revolution, and marked its various vicissitudes with bloodshed and crime.

The government of the continental congress, to which the patriot and the christian are under equal obligations, was commenced at a period of general distress, was continued by the excitement

* During the whole revolution, congress maintained its character for strict veracity. Deception, even under defeat, made no part of its policy. Whatever public declaration bore the signature of the secretary, passed as unquestionable truth. The name of Charles Thompson was, in matters of political history, like the attestation of St. Paul on subjects of religious belief.

produced in the public mind, was matured amid all the dangers and the outrages threatened or perpetrated on their constituents and friends. It was instituted as the champion of the country's freedom against the unnatural efforts of a vindictive and tyrannical enemy ; it was exposed to all those temptations which an unsettled state of things invariably present, to the allurements of a wild ambition, or the gratification of a stern revenge. Had it been influenced by a love of power, it might itself have encroached on public liberty ; or, if seduced by cupidity of wealth, it might almost without restriction have been the safe plunderer of the public treasure ; or, if instigated by those feelings which have marked the changes of power in other countries with crime, it might easily enough have satiated a ferocious spirit of revenge. All the checks, which in later times are considered so essential to good government, were removed, except only a proud spirit of patriotism and a respectful submission to public sentiment ; and by the blessing of God these were all-powerful. To all future time an American citizen may look with a better spirit than that of military triumph on the fair escutcheon of his country's fame ; and, if the civic virtues by which more than by feats of arms a nation becomes truly great, are in any respect owing to the character of the government, he may find the origin of that character in the continental congress of the revolution.

It may be useful to enquire how this great and controlling power was established.

The thirteen American colonies had, at the commencement of the revolution, whatever period may be assumed for that memorable epoch, no common source of power except the British crown. Separated into distinct colonial establishments, the people every where had some right of sending a delegation to provincial assemblies; but this right was derived from charters which had at different times been granted by royal authority. The internal affairs of each colony or province were managed under the directions of such charter, which provided for the assembling of provincial legislatures, and for the due exercise of an executive authority, by persons more or less under the control of the crown. No regularly established union existed among them; and whenever the authority of the mother country was removed, the whole power of government necessarily devolved on the people of each separate province, which thereby became, *de facto*, an independent state.

It was early seen by the American patriots, that a state of division would be a condition of weakness; that a controversy with the British empire, difficult and arduous enough under any circumstances, would be utterly desperate if conducted by a single colony, or by all in succession, and that an union of effort for the common object

was the only means which could make resistance any thing but madness.

To establish a common power, which should have a control over the continent, became obviously indispensable; and it is to the glory of the men of those days, not only that they so early discerned the policy of this procedure, but that they suffered no sectional or imaginary interest to obstruct the execution of their plan. At the moment, however, when this great convention was first projected, the extent of the influence it was destined to exert could scarcely have been conceived. Resistance by force of arms was no part of the original design; or if there were those prophetic spirits that saw the coming storm in the small cloud which was beginning to appear on the horizon, they had not such distinct vision of future time as to be themselves satisfied how best to escape from the danger.

The first continental congress assembled in the character of a committee for consultation. The powers delegated to the members were limited to the object which they were intended to accomplish.

The province of Massachusetts, which was the very seat of the oppression and injustice of the British ministry, naturally would feel more seriously than even her neighbours, the importance of measures for relief; yet the resolutions of this province of 17th June 1774, declare "This house,

having duly considered and being deeply affected with the unhappy differences which have long subsisted and are increasing between Great Britain and the American colonies, do resolve that a meeting of committees from the several colonies on this continent is highly expedient and necessary, to consult upon the present state of the colonies, and the miseries to which they are and must be reduced by the operation of certain acts of parliament respecting America, and to deliberate and determine upon wise and proper measures to be by them recommended to all the colonies, for the recovery and establishment of their just rights and liberties, civil and religious, and the restoration of harmony between Great Britain and the colonies, most ardently desired by all good men."

In Virginia, the meeting of delegates from the different counties in the colony resolved that a general congress of deputies assemble from all the colonies, "to consider the most proper and effectual method of so operating on the commercial connexion of the colonies with the mother country, as to procure redress for the much injured colony of Massachusetts Bay, to secure British America from the ravages and ruin of arbitrary taxes, and speedily to procure the return of that harmony and union so beneficial to the whole empire, and so ardently desired by all British America."

The committee of correspondence of Connecti-

cut were instructed by the house of representatives of that colony "to attend congress, to consult and advise on proper measures for advancing the best good of the colonies; and such conferences from time to time to report to this house."

In Pennsylvania, the delegates were directed to meet the deputies of other colonies, to consult upon the present unhappy state of the colonies, and to form and adopt a plan for the purpose of obtaining a redress of American grievances, and ascertaining American rights.

The proceedings in other parts of the country, by those organized bodies from which the delegates to this first national assembly received their appointment, were of the same moderate character, and disclosed an intention limited to the appointment of committees of conference, who might interchange their opinions on the alarming condition of the country, and devise such measures as their wisdom should find expedient, to be afterwards adopted by the colonies, and not by the congress, for the protection of the public liberty.

Two considerations led to this guarded conduct. First, the urgency of the occasion for a central and common government was not realized by the whole people. The public mind is always slow in its perceptions, and always alarmed at the proposal of a change. Until oppression was actually grinding the people many among them would not

believe it was designed. The statesmen and leaders of the day were a great way in advance of the intelligence of their times. "They snuffed danger in the coming breeze." They did not wait for oppression. The rumour of an attempt upon their liberties excited them. They traced the six-penny tax upon tea, so insignificant in the eyes of a financier, so tolerable in the resources of their countrymen for taxation, to the principle, destructive to freedom, in which it originated. They were successful in extending very widely their own sound doctrines, and bringing up the minds of men to the standard of their policy. But this was in the sphere of their own influence. Others were beyond it who could not enter into all their feelings. Such must be dealt with mildly and moderately; and the leaders of the revolution, with a prudence as rare as it was wise, first enlightened the public mind, and then directed it.

But if the occasion had then demanded such a power, the erecting of it over the several local authorities devolving on the friends of freedom in the several provinces, would have been a delicate task. To the troubles of revolution and war would have been added the contests and collisions of sections or individuals for power, influence, or rights. These were to be avoided: and again is seen the wisdom of those distinguished men. The passions which grow up in all wars, and are fiercest and wildest in civil commotion,

were kept down and controlled, and the easiest and simplest measures were taken to avoid those dangerous rocks upon which first private virtue and then public happiness is wrecked. The power which was to guide the revolution was made by the revolution—grew as that grew, and strengthened as that advanced, and although it may be lamented that there was not a more self existing power to have directed operations for battle, yet what was lost in the energy of war was balanced in all probability by the additional security of internal peace.

The measures of the first continental congress constituted as it was of the purest and noblest and wisest of the American people, conformed to this restricted authority.

They assembled at Philadelphia on 5th September 1774. They expressed their approbation of the wisdom and fortitude, with which the late unjust, cruel and oppressive acts of the British parliament had been received in Massachusetts; they published addresses to the governour of that colony, to the British colonies, to the people of Great Britain, and to the inhabitants of Quebec, in which, with an eloquence and a force never excelled in the language in which they were written, the rights of the colonists and the wrongs they were suffering were depicted and explained. They made a solemn declaration of their political privileges, they advised as a mean of preserving

them, that an agreement should be formed not to import any article of British produce, and they resolved, what self preservation rendered indispensable, that the seizing or attempting to seize any person in America, in order to transport such person beyond sea for the trial of offences committed within the body of a county in America, being against law, would justify and ought to meet with resistance and reprisal ; but they adopted no measure which implied power in themselves to exercise government, and without giving to their deliberations the form of legislative acts they dissolved their assembly on 26th October following.

Great effects were produced by the influence of this congress throughout the continent. The people became satisfied that there was a common feeling with regard to the points in dispute, and a common interest in promoting and supporting measures of resistance. The unwelcome necessity of encountering British tyranny they were assured would not rest with those only on whom the lust of domination chiefly exerted itself. The encouraging opinion strengthened into confidence and certainty, that beyond the immediate operation of ministerial exactions, men of fortune, of talents, and of honour would meet the responsibility which patriotism imposed.

A second continental congress assembled at Philadelphia on 10th May 1775, and was con-

tinued with proper organization through all the period of the revolution-war.

The members, who first assembled, appeared under the authority of new elections. They were deputed by colonial legislatures, where that was practicable, and by assemblies which had superseded the legislature, or by the vote of the people, according to the circumstances under which the local power in the colonies was exercised.

In the commission given to the delegates, there was a marked difference between the language now used, and that of the former occasion. Massachusetts authorized her representatives "to agree upon, direct and order such further measures as should to them appear best calculated for the recovery and establishment of American rights;" and with characteristic republican jealousy limited their commission to the then current year. The same phraseology was used in the commission to the delegates from South Carolina, a coincidence which is certainly the evidence of a previous concert. Equivalent alterations enlarging the powers of congress, are to be found in the resolutions of several other colonies, all of which imply the higher expectation formed of the duties assigned to this assembly.

The general outline of the authority, thus given to congress, is marked in the language of the commission to the members, but by common consent it was understood they were not merely to

deliberate, but to act ; not to counsel others only, but execute for themselves. The provincial legislatures retained their exclusive authority over merely local concerns ; but the general affairs of the continent, and especially its foreign relations, devolved on the congress at Philadelphia ; and without any specific arrangement this central power gradually marked out for its own circle of operations very much the same course, which became afterwards better defined and established in the constitution of the United States.

The continental congress assumed many of the attributes, and exercised much of the power of sovereign authority. They raised an army and appointed the commander in chief and other subordinate officers ; they equipped a navy ; they incurred debts and pledged the nation for payment ; they severed the ties which bound them to a foreign empire, and assumed for their constituents " the separate and equal station to which the laws of nature and of nature's God entitled them ;" they formed alliances ; they sent and received public ministers ; they waged war and they concluded peace. They did every thing appertaining to political power but levy taxes. These great prerogatives were exercised according to the expectation of the people, with so much prudence and moderation, with so much energy and firmness, with such wisdom, integrity and honour, that the illustrious citizens who composed the congress of the revolution have

inscribed their own imperishable glory on the splendid temple they erected for the liberties of their country.

It is probable the congress found itself urged by irresistible circumstances to the exercise of greater powers than were contemplated, when that assembly was first proposed ; and doubts on their part, and on the part of their constituents, as to the precise limits of their authority, were among the difficulties that surrounded them.

The subject early claimed their attention. Articles of confederation better defining the powers of congress, and regulating the duties of the states, were submitted by congress to the several members of the confederacy on the 15th November, 1777, and being ratified on 9th July following, became the charter of government until the adoption of the constitution of the United States.

The government, which began almost from necessity, was continued, matured and perfected in many of its details, during the most embarrassing period of the war. In many of the states too, the old governments having expired, new ones were formed, by the recommendation and with the sanction of congress, under the very cannon of the enemy, and amid all the dangers of military operation. The people in these acts, which display their orderly and intelligent character, share with their leaders the glory of those interesting times. Their readiness to throw off the shackles of the

royal government can no longer be imputed to a factious or radical spirit of insubordination, when their earnestness is found to be as great and as well directed to establish a government on the principles of freedom, as to destroy that which was founded on tyranny and oppression.

CHAPTER XII.

Member of the Committee of the Treasury.....State of the Finances.....Paper Money.....Loan Offices.....Lottery.....Foreign Loans.....Regulating Acts.

THE reputation which Mr. Gerry had acquired in his native province preceded his arrival at Philadelphia. He had scarcely taken his seat in the continental congress, when he was placed on important committees ; and on the 17th February 1776, was appointed with Mr. Duane, of New-York, Mr. Nelson, of Virginia, Mr. Smith and Mr. Willing, of Pennsylvania, to compose a standing committee of five for superintending the treasury. And it was "resolved that it be the business of this committee to examine the accounts of the treasurers, and from time to time to report to congress the state of the treasury.

"To consider the ways and means for supplying gold and silver for the support of the army in Canada.

"To employ and instruct proper persons for liquidating the public accounts, with the different paymasters and commissaries in the continental service ; and the conventions, committees of safety and others, who have been or shall be intrusted with the public money, and from time to time to report the state of such accounts to congress.

“ To superintend the emission of bills of credit.

“ To obtain from the different assemblies and conventions of the united colonies, accounts of the number of inhabitants in each colony according to the resolution of congress on that subject.”

This committee was from time to time enlarged, as the accumulation of business rendered a more numerous body necessary for its despatch ; but, under the direction of congress, they had the general control of the finances during the period of the revolution-war, uniting most of the duties now assigned to the treasury department of the United States, and the committee of ways and means in the house of representatives.

The finances were, however, from the very organization of government in the colonies in a miserable condition. The continent found itself engaged in actual hostility without preparation, without funds, without arms, provisions, or munitions of war. Their credit had not the foundation of an established revenue. There was not, either before or after the adoption of the confederation, any power of taxation confided to the congress. The resources of the nation were held by the states ; and the treasury of congress could be supplied only by the contribution of the states according to the ratio of their means, or by the issue of paper money, or by loans.

The obvious and in fact the only mode by which the immediate claims for money could be

answered, was by the issue of a paper currency on the faith of the people. Congress unhesitatingly availed themselves of this facility, and on 22d June 1775, directed an emission of "two millions of Spanish dollars in bills of credit for the defence of America." This sum was in July increased to three millions. Two persons were appointed, as joint treasurers to take charge of the fund; and it was recommended to each colony "to provide ways and means to sink its proportion of the bills ordered to be emitted by this congress, in such manner as may be most effectual and best adapted to the condition, circumstances and equal mode of levying taxes in such colony. And it was further resolved, that the proportion or quota of each colony be determined according to the number of inhabitants of all ages, including negroes and mulattoes in each colony."

The quotas of each colony were to be paid by four annual instalments, either by returning the continental paper which they were to receive for taxes, or by a remission to the continental treasurers of silver and gold. The paper, when returned to the treasurers, was to be burned under the eye of a committee of congress if in session, or in case of adjournment, of a committee appointed by the assembly or convention of the province of Pennsylvania; but it was ordered that "the treasurers, whenever they have silver and gold in their hands for the redemption of continental bills,

shall advertise the same, signifying that they are ready to give silver or gold for such bills to all persons requiring it in exchange."

This was the first financial effort of the thirteen colonies. Although an army was then raised and hostilities had commenced, the smallness of the sum actually issued, and the want of preparation for additional funds, show the state of feeling as to the probably short duration of hostilities.

Unfortunate as was the result of this experiment to the holders of the bills, it answered for the time the calls of the country; and it was not attempted without being accompanied by every exertion which could be made to ensure the credit of the paper. A mode for redeeming it was pointed out. The amount, which each colony ought to provide for, was ascertained; and as all the sources of revenue by direct and indirect taxation remained with the several colonies, congress recommended that arrangements should be made for future payment, which if they had been sufficiently regarded, would gradually but certainly have redeemed it without loss. The paper at first kept its original value, and the continental treasurers were able to raise a considerable amount in specie, as they were required to do by congress, to supply the forces which were destined against Canada.

But the sum thus emitted was shortly exhausted. Another emission of three millions in bills of credit was directed in the subsequent November,

and four millions followed in February 1776. In the following May, congress "resolved that five millions of dollars be emitted in bills of credit, in part of the ten millions voted for the service of the current year, and that the thirteen united colonies be pledged for the redemption of said five millions of dollars, at such periods and in such manner and proportions as congress should hereafter direct and appoint."

The balance of the ten millions was speedily required; thus, in the first year of the war, congress found itself struggling with a debt of nineteen millions of dollars, without any compulsory power to provide for its payment, and with no means to preserve for it any appearance of credit but the feeble and disregarded right to recommend to the colonies to provide means for its redemption.

Bills of credit, without any fund for their payment or any right of taxation to redeem them, accumulating as they did by the clamorous demands of the community for something as the evidence of a debt, could not fail to depreciate; and it is less now to be wondered, that they should soon have become of so little value, as that congress should have been able with such feeble means to meet in any way the importunity of their creditors.

It was assigned to the committee which has been mentioned to issue, direct and maintain as far as possible this miserable representation of public wealth.

To support the credit of the colonies by controlling their expenditure was impossible, for they were engaged in a war which involved every thing that was dear to them, and had determined at any expense or sacrifice to command success. To provide funds for the payment either of principal or interest was beyond their power, for this attribute of sovereignty was reserved for the states. Their duty was limited, therefore, to the providing of palliatives for the evils, and circumscribing in as narrow bounds as was possible, the distress and ruin which inevitably must arise from a fluctuating and depreciating currency.

The principal duty, which in this respect devolved on the committee, was the examination of accounts in the vast variety of concerns to which the state of the nation required attention. Civil and military, foreign and domestic, large and small, whatever accounts indeed were presented for payment were submitted to the examination of the committee of the treasury, and the immense amount of labour daily performed by them is attested on almost every page of the journals of congress.

But their task was not confined to this arduous and useful labour. They were expected to devise and report such measures, as with the feeble means limited to congress, would tend to preserve the credit of the country.

One of the first measures of this kind was the establishment of continental loan offices. In Oc-

tober 1776, congress resolved on the report of the committee for superintending the treasury, that five millions of dollars be borrowed for the use of the United States, at an interest of four per cent. That the faith of the United States be pledged for principal and interest ; that certificates be issued for the sums loaned. That a loan office be established in each state, and a commissioner appointed by the said states respectively to superintend such office ; that said commissioners deliver certificates of all such sums of money as shall be brought into their offices, settling with the continental treasurer once a month ; and that they answer the draughts of the treasurer for any amount in their hands.

A lottery was also recommended and ordered, and foreign loans were negotiated, which though not obtained as early or to the extent desired by congress, were a very agreeable relief to the inconvenience and distress produced by the uncertain condition of its paper currency.

These measures judiciously and seasonably recommended by the committee of the treasury, were not the only efforts made by them to give value to their emissions of paper, without the only sure foundation on which its character could be supported. It had been declared with truth, that "the resources of the country were great, and that they had not been developed ;" but these great resources were not within the reach of the arm of congress, whose recommendation to the

states, though heard respectfully, was oftentimes slowly obeyed, or postponed and neglected. Measures might therefore be advised or adopted, which a more established and a better organized government would not have countenanced, and which do not conform to the present improved ideas of political economy. A direct and moderate excise, a tax on real estate, a capitation tax, payable in personal services by commutation, and a duty on imported goods, would have been a far more equal and less distressing mode of meeting the burthens of the war. These burthens must be borne by the people. They are necessarily incident to a state of hostility, and their weight never decreases by delay. A depreciating paper is attended by certain evil, which falls very unequally, and generally most injures those who are least able to sustain the loss. Taxes, however burthensome, may be limited to the exigency of the case, and be always assessed on such equal principles as to make their pressure small on the weak, and proportionally heavier on the strong.

It may therefore strike us with surprise, that when the great sinews of war were relaxed and unstrung, when the source of public credit was drying up, and the life of the national cause was endangered by want of the aliment which alone could preserve it, an effort was not made by the patriots of the day to possess for their country the only efficient remedy, by which its distress

might be relieved. No want of intelligence to discern what this remedy was, or how certainly it would produce its effect, can be charged on that illustrious assembly, and their hesitation is the evidence of that prudent and honourable regard to the will of the people, which had retained this power to the states respectively ; congress warring against despotism, could not with consistency be itself an example of an usurpation of authority. All the power they had, was unceasingly exercised in recommending, in urging, in supplicating the states "to raise by taxation in the course of the current year, such sums as in their opinion the situation of their inhabitants rendered proper," and to pass resolutions "that they would make provision for drawing in and sinking their respective quotas of the bills emitted by congress at the several periods fixed or to be fixed for that purpose."

Measures of more doubtful utility were adopted. The depreciation of the continental paper was ascribed to the pernicious artifices of the enemies of American liberty. It was resolved that the continental bills ought to pass current at their nominal value, and that whosoever made any discrimination between them and gold and silver in purchase, sale or exchange, should be deemed an enemy of these United States, and forfeit the value of the property thus contracted for ; and it was recommended that other penalties be inflicted on offenders, adequate

to the prevention of these pernicious practices. It was recommended also that the states make them a legal tender in the payment of public and private debts :—They further advised a temporary regulation of prices by the legislatures of the states, of all articles of provision and other commodities for the supply of the army ; and they proposed an arrangement by which “ the price of labour, manufactures, internal produce and commodities imported from foreign parts, (military stores excepted) and the charges of innholders should be fixed by law.”

These dangerous and empirical experiments were of short duration, and it cannot now be surprising that they increased the inveteracy of the disease they were intended to cure.

A rapid and alarming depreciation of continental paper necessarily followed. It added a serious evil to the dark catalogue of misfortunes which pressed almost to ruin the struggling cause of American liberty, and required, what alone could support the efforts of the community, that patriotism should pay the draughts, which the finances of the country were unable to preserve from dishonour.

The correspondence of the day shows that the leading patriots were beginning to look with firmness on the only light, which could guide them through the perplexities of their path.

MAJOR HAWLEY* TO MR. GERRY.

WATERTOWN, FEB. 18, 1776.

DEAR SIR,

I hope you will forgive me if I herein appear indelicate, by attempting to inculcate some things which I hinted to you in the minutes which you was pleased to accept of me as you was setting out on your journey to congress. But if you knew the infinite weight they are on my mind you would not blame me, whether they impressed your mind in like manner or not. One was, that the most seasonable and effectual care should be taken that a sufficient number of the best of troops should be seasonably marched into Canada, and thorough provision made for their subsistence, pay and clothing, full supplies of artillery, arms and ammunition, that they be sure to repel and overcome all the efforts of the enemy in that quarter the approaching season. Depend on it that the efforts of the enemy there and at New-York the next season will be the greatest and the earliest which they can possibly make. In the year 1760, I am certain that ships arrived at

* Major Joseph Hawley was a member of the provincial congress at Watertown. His character is admirably sketched by Mr. Tudor, in his interesting biography of James Otis. At the date of these letters, he held the first rank in the councils of the province.

Quebec from England some time in April, and I think as early as the middle of April, if not earlier. If they have any judgment or policy in England, their land forces for the reduction of America will be chiefly employed by the way of Quebec and New-York ; diversions may be given in other parts, but their main strength will be destined thither. I have no doubt but you are by this time fully sensible that the sharpest eye must be unremittedly kept on the people of New-York ; their manœuvres and tergiversations exceed the depths of satan. But I will not school you any longer on this head.

I beg leave to let you know that I have read the pamphlet entitled "Common Sense, addressed to the inhabitants of America," and that every sentiment has sunk into my well prepared heart : in short, you knew that my heart before was like good ground well prepared for good seed ; and without an American independent supreme government and constitution, wisely devised and designed, well established and settled, we shall always be but a rope of sand ; but that well done, invincible. I need not repeat what I said to you of the worthlessness and futility of all paper currency without such a general, well established and independent government.

Your field of business is immense, and absolutely boundless ; but industry, courage, application and perseverance will surmount every thing :

some relaxation and exercise is absolutely necessary, to maintain health and spirit ; but sloth and dissipation, and turning off business to others, and procrastination, if they gain any admission, will be our infallible ruin. I know you will not indulge to them, and I hope none others of your number. Solomon never uttered a truer maxim than when he said " Confidence in an unfaithful man in time of trouble is like a broken tooth, and a foot out of joint."

Two things I beg leave to hint : the one is, that it seems to us here that when congress, by their late resolve, ordered an appeal from our admiralty courts to their honourable body, they did not well consider how dissonant such a mode of trial is from the genius of the times ; to wit, by jury ; nor how much it is open to the exception which was made to the stamp act, of its exposing and making one of the parties liable to be carried for a trial to any remote quarter or part of the continent, at the will of a crown officer. Would it not have been more expedient and constitutional to have ordered the appeal to have been to the superior court of the colony in which the first trial was had. Besides, it seems to bear hard on the maxim " that the legislative and executive ought always to be distinct and diverse."

Secondly, I hope, sir, you will by no means forget to endeavour that there be the most peremptory and absolute order and injunction on all

the generals and officers of the American army, that quarters for the army or any part of them, shall in no case be impressed, but by the intervention of a civil magistrate, or direction of the legislature of the colony. They have again (I suppose through the resentment and pique of Park, the assistant quarter-master) quartered a company on Major Thompson, against his will. Our assembly is so much on the wing, and the active members so generally gone, that it is impossible to make any proper remonstrance thereof to the general.

It is not easy to imagine what a handle such conduct as this gives to the tories, and how much they rejoice to be able to take such exceptions; besides, it is downright and intolerably wrong. It is much more necessary that congress should make some express order and regulation for their forces in every part, touching their behaviour in this particular; because, you know that the colonies in general, and this in particular, are in the hands and power of the army, by reason of the militia being in a great degree stripped of their arms and ammunition for the sake of furnishing the army.

I suggest one thing more, and I have done; to wit: I hope that the next period or term for which the continental troops will be enlisted will be three, or at least two years: the disadvantages and risk of their being engaged and held for

short terms, even for but one whole year, are many; at the same time they never will, nor can I say that I desire that they should engage for an indefinite time; but I believe they will, after a little while, be willing to engage for two or three years.

My letter is unconnected. I enter matters as they occur, without studying coherence: if you think them of any value, you have full leave to communicate to your brethren of this colony.

I am, sir,

With great and most sincere respect,

Your obedient humble servant,

JOSEPH HAWLEY.

Mr. Gerry.

MAJOR HAWLEY TO MR. GERRY.

FEB. 20. 1776.

Pray sir, will it not be extremely difficult for us to hold on with our defence and support of all our inhabitants without trade? Will people, who have been bred and accustomed to trade till they have arrived to men's and women's estate, ever get into any other business? Be sure they never will be dexterous at any other, nor contented; nay, they will be a weight on the community, and a very heavy one too. But if we resolve on independence, what will hinder but that we may

instantly commence a trade, not only with Holland, France and Spain, but with all the world, as the government of the new independent state shall permit? Then we shall have done with the unmanageable plans and chimeras of nonimportation agreements, which, with nonconsumption agreements, never were and never will be kept, and tend inexpressibly to debauch and wickedize a people, by means of the irresistible temptation, which trading people will always be under to violate the general agreements, not only for the sake of profits, but really for any reputable subsistence; whereas, the instant you resolve on independence, and give leave to trade, your trading people will immediately fly to it, whatever risks and hazards there may be of losing; and indeed the greatest part will escape.

Pray consider this matter with regard to Canada and the Dutch of New-York: will they ever join with us heartily, who in order to it must sacrifice their trade, to which they are so much addicted, and whereby they have always made good profits, and expose themselves to want and beggary? whereas, the moment that we resolve on independence, trade will be free for them; for the one to France and the other to Holland, to which they always inclined, and would heretofore go at almost as great risks as they will then at first run; then we shall have done with our impracticable associations for nonconsumption, the source of in-

finite feuds and animosity. Independence, in short, is the only way to union and harmony ; to vigour and despatch in business, our eye will be single, and our whole body full of light ; any thing short of it will, as appears to me, be our destruction, infallible destruction, and that speedily. Amen.

JOSEPH HAWLEY.

Mr. Gerry.

CHAPTER XIII.

*First project of Independence.....Correspondence with Major Has-
ley.....With General Warren.....Impediments in the way of In-
dependence.....Independence declared.*

THE financial difficulties in which the colonies were placed, and the formidable force which was preparing for their overthrow, did not deter influential men from proposing measures of a bold and decisive character.

The question of independence had been seriously, though not very publicly discussed in Massachusetts. It was with great regret that many, even of the leading men in the councils of that colony had admitted that it would be necessary to fight, but they were not slow in perceiving that the battle, when begun, would end in the independence or the ruin of their country.

This important proposition was debated again and again in the confidential intercourse of the prominent members of the congress at Watertown, long before the object was openly avowed. Its hazards and its benefits were weighed and compared, and a determination formed to prepare the minds of the people for the necessity and advantage of this great and momentous change in their political condition.

The organization of a military and naval force, the appointment of a commander in chief and subordinate officers, and the conducting of open hostility in the face of an avowed enemy, no longer rendered very sensible those nice distinctions, which had been attempted to reconcile resistance to ministers with allegiance to the throne. It became necessary for the Americans to admit that resistance was rebellion, or to assume the character of an independent nation, and claim the rights of sovereignty and self government.

The necessity of the alternative did not diminish the danger of the choice. It could not be concealed, nor was it attempted to be concealed by the patriots of 1776, that the act, which was required by their country, might be fatal to themselves. They could not but feel that while, on one hand, the establishing of a new nation would ensure them imperishable glory, the result of an abortive attempt to sever the connexion of the colonies with the mother country would ruin their constituents, and subject themselves to the disgrace and the penalty of treason.

But personal considerations had little weight with the architects of the American republic. The glory or the shame, the reward or the punishment, which by a change of condition might ennoble or destroy them, neither accelerated or retarded the momentous event. Its consequence to the nation, and not the personal gratification of the

agents, was the great consideration by which it was effected. The project of independence was neither begun with indecent haste, nor delayed by unreasonable apprehension. It was discussed with the coolness and deliberation, which became the dignity of an assembly selected for its wisdom from three millions of people, and which felt the responsibility of a measure that would fix their fate and their children's forever.

A scheme, whose operation was overshadowed in the uncertainty of future time, was viewed in different perspective by the individuals and the colonies whose interest it would decide. Men of capacious and extensive range of thought early saw the results which resistance would accomplish ; those who were bold and adventurous, or constitutionally of an ardent and sanguine temper, looked on the anticipated consequences, if not with satisfaction always, yet certainly without alarm. A more timid and cautious class of statesmen dreaded what they called the dangerous precipitancy of their colleagues, and suffered doubts and fears to triumph over hope. These were coasting-craft navigators, fearful of adventuring out of sight of land, making always for the shore, and seeking some port of shelter from the first murmurings of the storm. They would engage in no expedition, whatever might be its promise, unless preparation was first made for successful retreat.

The congress of the colonies in 1776 consisted

of these two classes of political characters. The high and irreproachable patriotism of all its members is entitled to the most honourable attestation ; but in boldness of purpose, in grand and lofty conception of the destinies of the people, in a knowledge of the true nature of the crisis at which they had arrived, in the intelligence which could realize that timid or temporary measures were alike hazardous and futile, and that the nation was to be preserved only by great and resistless exertions, in the qualifications, finally, by which a statesman proves his competency to the high duties of the station, the congress at Philadelphia was distinguished by all the variety of mind that could be collected in any deliberative assembly.

The delegates from Massachusetts, by the circumstances in which that colony was placed, had been early called to a consideration of the great argument by which their rights were supported, and to a consideration of ulterior measures, when reason and argument should no longer be of any avail. They had been selected from that school, in which the lessons of liberty were first taught, for their political forethought, intelligence and decision, and the point at which they had now arrived had not come upon them by surprise. The same elevated sentiments animated the ardent statesmen of the south. At a distance from immediate danger, they had watched calmly and dispassionately the movement of royal power, and thrown themselves into the controversy not merely

with the gallantry of a chivalrous spirit or the feelings of a generous sympathy, but by the dictates of a prudent and rational policy that foresaw the ruin of the whole in the tyrannical sacrifice of a part.

Mr. Gerry, naturally ardent and determined, was among the first to view with a steady eye the arduous duties which his country required him to perform. From his associated patriots in the Massachusetts legislature he had learned the sound doctrines of practical liberty; he had traced them in their consequences to the eventual separation of the colonies from the authority of their parent state, and he was not of an age or temperament that could be easily discouraged in the attainment of a great object by the dangers or difficulties of the pursuit. His own resolution was very early formed, and his only solicitude seemed to be that a strong impression should be made on the minds of the people.

MR. GERRY TO JAMES WARREN,* PRESIDENT OF
THE PROVINCIAL CONGRESS AT WATERTOWN.

PHILADELPHIA, MARCH 26, 1776.

MY DEAR SIR,

Two days ago the agreeable news of the evacuation of Boston reached this place, on which give

* Major General JAMES WARREN, of the militia of Massachusetts, a descendant from one of the first settlers of Plymouth,

me leave to congratulate you. What an occurrence is this to be known in Europe? How are parliamentary pretensions to be reconciled? Eight or ten thousand British troops, it has been said,

was born in that town in 1726. He was educated at Harvard College, and graduated in 1745. At an early period he was elected a member of the general court of Massachusetts, and soon distinguished himself among the popular leaders as one of the most inflexible advocates of the colony cause.

The first proposal of forming committees of correspondence has been ascribed to him.

He succeeded Dr. Warren as president of the provincial congress, and in that situation as well as in the speaker's chair of the house of representatives, which he subsequently filled, acquired much reputation for the dignity of his deportment. His uncompromising attachment to principle gave to his manners an appearance of austerity especially in official station, while in truth he was animated by great benevolence of heart, and performed all the duties of a kind neighbour and an affectionate friend.

In all the divisions of political party during his long and valuable life, General Warren and Mr. Gerry were invariably on the same side. It was their fortune to receive together the plaudits of the people, when the cause they espoused happened to be popular, and to suffer together the pitiless peltings of the storm, when the path of duty diverged in their opinion from the road on which the multitude were desirous of travelling.

General Warren was offered several situations of high dignity which he declined accepting, among them was the office of lieutenant governor of the state and judge of the supreme court. During the first part of the war of independence he was paymaster-general of the American army. Under the present constitution he served as a member of the executive council. In 1808 he presided over the electoral college of Massachusetts. He died at the advanced age of eighty-two years, entitled to the rare eulogy "that amid all his public occupations he never neglected the more humble duties of domestic life, or the more exalted claims of religion."

are sufficient to overrun America, and yet that number of their veterans, posted in Boston, a peninsula fortified by nature, defended by works the product of two years' industry, surrounded by navigable waters, supported by ships of war and commanded by their best generals, are driven off by about one-thirtieth of the power of America.

Surely the invincible veterans laboured under some great disadvantage from want of provisions or military stores, which the Americans were amply provided with! Directly the reverse. They had provisions enough, ammunition, muskets and accoutrements for every man, and a piece of ordnance for every fifteen, while the Americans were almost destitute of all these, and after twelve months' collection had only a sufficiency of powder to tune their cannon for six or eight days. I am at a loss to know how Great Britain will reconcile all this to her military glory. Her conquests in America I am certain will never do it. Congress have voted thanks to the general and all the officers and soldiers of the army, and ordered a medal of gold with a suitable device to be presented to the former. I hope however that this success will not abate your exertions to obtain by your own manufactures sufficient supplies of military articles, for on these and the discipline of your militia depends your liberty.

You are desirous of knowing what capital measures are proposed in congress. I refer you to

colonel Orne for what is done concerning privateering, and I hope soon that all your ports will be open and a free trade be allowed with all nations. This will not in itself satisfy you, and *I hope nothing will, short of a determination of America to hold her rank in the creation, and give law to herself.* I doubt not this will soon take place, and am sure New-England will not be satisfied with less, since not only the government but the people of Great Britain are corrupt and destitute of public virtue.

I sincerely wish you would originate instructions, expressed with decency and firmness—your own style—and give your sentiments as a court in favour of independency. I am certain it would turn many doubtful minds, and produce a reversal of the contrary instructions adopted by some assemblies. Some timid minds are terrified at the word independence. If you think caution in this respect good policy, change the name.

America has gone such lengths she cannot recede, and I am convinced that a few weeks or months at furthest will convince her of the fact, but the fruit must have time to ripen in some of the other colonies ; in New-England, the hot-bed of sedition, as North has impudently called Boston, it has already come to maturity. Would it not be good policy for the New-England governments to think of the matter, and adopt similar measures. Perhaps a circular letter and the publication of your instructions would accomplish much. Is it

not curious that the British ministry should know so little of our feelings or character that after seizing our property, burning our towns and destroying their inhabitants, they should make an act to interdict our trade, and suppose that towns, counties and colonies will bury in oblivion all former abuses, and subscribe themselves slaves in order to be rescued from the severities of this commercial tyranny? This is an instance of the wisdom and policy of the British ministry! Have they not yet ascertained that we know our rights, or at least that we think we know them? Have they not learned that we can defend them too?

I remain your friend,

E. GERRY.

The language of confidence and encouragement contained in the foregoing letter was reciprocated from Massachusetts.

MR. HAWLEY TO MR. GERRY.

WATERTOWN, MAY 1, 1776.

MY DEAR SIR,

The tories dread a declaration of independency and a course of conduct on that plan more than death. They console themselves with a belief that the southern colonies will not accede to it.

My hand and heart is full of it. There will be no abiding union without it. When the colonies come to be pressed with taxes they will divide and crumble to pieces. Will a government stand on recommendations? It is idle to suppose so. Will Canada ever join us without independence and government? They will not. Can we subsist, and support our trading people without trade? It appears more and more every day in the country and the army that we cannot. Nay, without a real continental government our army will overrun us, and people will by and by, sooner than you may be aware of, call for their old constitutions, and as they did in England after Cromwell's death, call in Charles the second. For God's sake let there be a full revolution, or all has been done in vain. Independency and a well planned continental government will save us. God bless you. Amen and amen.

J. H.

In another letter of the same writer on 15th May, is the following passage :—

I want to comment largely on independency, but have not time. Suffice it to say, in answer to some of our people's objections, who ever imagined it an objection to a man's emancipating from the care and government of his father at the age of twenty-one years, that he could not set up

for himself with so large an estate as his father's, or a house so spacious as the one he was about to leave? Or who ever supposed the son could not raise and support a family because, although he was of full age, he had not all the experience of the old man, whom he probably exceeded in the ability of enduring hardships and privation. You, sir, will improve the thought. It is our case, assuredly.

MR. GERRY TO MR. WARREN.

PHILADELPHIA, MAY 1, 1776.

MY DEAR SIR,

I am exceedingly desirous that measures of defence should be first attended to, and have place of every other undertaking, and shall be most happy to hear that the capital and its valuable harbour is well fortified, and something done for the other seaports; that your powder mills are at work; that manufactures of lead and sulphur are attended to, and preparation made for casting cannon; that the committees of correspondence throughout the colony are ordered to make returns of the manufactures of fire-arms, employed or unemployed, and that measures are taken to erect public works; that the established forces, whether continental or colonial, are well armed, equipped and ready for action. When this is done, and I think with a little assiduity it may be accomplished, the col-

ony will be in a situation to receive the enemy ; and they being informed thereof, as they generally are of our weakness or strength, will carefully avoid another visit.

I think it may be demonstrated that the eastern district alone is able of itself to declare independency. The colony of South Carolina have behaved nobly in taking up government, choosing a governour, &c. ; and the convention of North Carolina have unanimously voted to follow their example.

Virginia is always to be depended upon ; and so fine a spirit prevails among them, that unless you send some of your cool patriots among them, they may be for declaring independency before congress is ready.

I am glad you approve the proposal for instructions, and can with pleasure inform you that North Carolina has taken off from their delegates the restriction relative to this matter, and as I am informed, has left them at liberty to vote for a final separation from Great Britain.

Your friend as ever,

E. GERRY.

In a letter to the same gentleman on 20th May, among matters of a private nature Mr. Gerry again recurs to this interesting subject.

“ I enclose you a Virginia paper just come in, by which you will see the spirit of another county

in that colony, exhibited in their instructions for independency.

In this colony (Pennsylvania) the spirit of the people is great, if a judgment is to be formed by appearances. They are well convinced of the injury their assembly has done to the continent by their instructions to their delegates. It was these instructions which induced the middle colonies and some of the southern to backward every measure which had the appearance of independency : to them is owing the delay of congress in agitating questions of the greatest importance, which long ere now must have terminated in a separation from Great Britain : to them is owing the disadvantages we now experience for want of a full supply of every necessary for carrying on the war, Alliances might have been formed, and a diversion been given to the enemy's arms in Europe or the West Indies, had these instructions never appeared. But they have had their effect ; and while we endeavour to recover the continent from the ill consequences of such feeble politics, we ought to show the cause of such miserable policy. It appears to me that the eyes of every unbeliever are now open ; that all are sensible of the perfidy of Great Britain, and are convinced there is no medium between unqualified submission and actual independency. The colonies are determined on the latter. A final declaration is approaching with great rapidity. May the all-wise Disposer of

events so direct our affairs that they may terminate in the salvation of these afflicted colonies.

Amidst all our difficulties you would be highly diverted to see the situation of our "moderate gentlemen." They have been more apprehensive of evils than any others, as we have frequently observed, and they have now the mortification to find that their measures for avoiding have but served to increase them. I sometimes think that Providence permitted them to clog the affairs of the colonies, that they may become in some degree desperate, and thus introduce into the circle of determined men those timid beings, whose constitution never admits of their defending freedom on the noblest principles, and are afterwards obliged to meet danger by the same motives that induced them to shun it. They are coming over to us, but I am sorry their counter influence so long prevented us from adopting the only means by which we could supply ourselves with the necessities for defence.

MR. GERRY TO MR. WARREN.

PHILADELPHIA, MAY 28, 1776.

MY DEAR SIR,

Some days since I enclosed to our worthy friend Major Hawley sundry newspapers containing intelligence of importance, but not so

agreeable in its nature as the enclosed papers announce relative to our sister colonies Virginia and North Carolina. Their conventions have unanimously declared for independency, and have in this respect exceeded their sister colonies in a most noble and decisive measure. I hope it will be forthwith communicated to your honourable assembly, and hope to see my native colony following this laudable example.

Your's very truly,

ELBRIDGE GERRY.

MR. WARREN TO MR. GERRY.

WATERTOWN, JUNE 12, 1776.

MY DEAR SIR,

I received your obliging and friendly letter of the 28th May and the papers enclosed, and should have acknowledged it before this, if it had been in my power. I have endeavoured to use to the best purposes the intelligence you gave me, and to animate your native country to follow the laudable example of the south. Their spirit is in your taste, and I can in imagination see you enjoy it. You have no doubt seen in the papers a short resolve, passed at the close of the last session, for the purpose of getting the sense of the whole country by the instructions given to their members, on the subject of independence. The mem-

bers have severally been called on by the house, and more than one half of them are instructed fully in favour of it, and not one against it. Many more are expecting similar instructions to follow them, and near or perhaps all would have had them if the resolve had reached them in season ; thus it appears to me the sentiments of our colony are more united on this great question than they ever were on any other ; perhaps ninety-nine in a hundred would engage, with their lives and fortunes, to support congress in the measure. You seem to intend to avoid too great a shock ; there is little left to do but the form and ceremony, but even that is important. Your resolves for trade and captures, and your late resolve for assuming government, the preamble of which is extremely grand, make the substance of the thing. I am glad to find you so determined in the defence of the continent, and making such preparations for it. I expect a warm summer in many parts of it, and to have our share here. I wish we were in a better preparation for it. We want powder, we want arms, and we have great difficulties in raising men. A regiment ordered more than two months ago to be raised under colonel Whitney, yet wants more than a hundred men. Another under Marshal, and one to consist of seven companies of the train, under Crafts make but slow progress. Marshal has not near half filled his regiment, though the enlisting orders were given out six weeks ago.

We have now passed in the house a resolve for encouraging the raising the two continental battalions here, by a bounty of twenty dollars for those who shall enlist for two, and ten for those who shall enlist for one year. Great doubts and hesitations we have had about this step, and finally took it, because we could not see any difference in the consequences, whether the bounty was given to colonial or continental regiments, and the men will not come without ; and they must come or we must be lost. How to steer between Scilly and Charybdis has been our difficulty. The resentment of congress on one hand, and destruction from our enemies on the other, have been weighed in the balance ; we have risked the first to avoid the last. When do you send a general here to succeed Ward ? He is impatient, and so is the country. When do you send somebody here with money to pay your troops ? I have ventured at the earnest solicitations of general Ward, and on the advice of many gentlemen, to proceed in paying the army as far as the money in my hands would go, and so have really acted as paymaster to this time, as you had made no disposition of the money and no provision for the payment of it here. The money is now gone, and the soldiers are mutining for pay, and every department stagnated. You cannot conceive how your affairs here are injured by these means. The prize you mention is indeed a great affair ; the several prizes since are

very important, but the loss of the Yankee Hero is a damper. What must be done with the West-India prizes? They must be made legal; British property must not escape under the cover of West-India property, which if real will be converted into British as soon as it arrives. I fear the manning of your fleet will go heavily. Why may not the sailors we have taken be obliged to do duty there, as they make ours do on board their's? Will it be saucy to enquire, why you passed such a resolve relative to Church, or if some of your late appointments (I don't mean of major or brigade generals) are judicious? I never expected the people would reward, or be grateful to their benefactors the patriots, but I always supposed if there must be lucrative or honorary places, that congress would confer them on the most distinguished and deserving. When I see you I will explain, if explanation is wanted. I think the French will soon interrupt the system of Britain; every thing appears to me like it, and the intelligence you give confirms it. We have very little news since the last post. A number of transports with troops are arrived below, supposed to be highlanders; the court seem to bend all their attention to defence; we have this session no fee bills, confession or incongealable bills. Did you receive a letter I wrote you from Plymouth? I fear some of my letters to you and Mr. Adams miscarry. We have had rumours for some time of battles in Canada, in which

we have been alternately conquerors and conquered. We have had our fears from these rumours. We have, this minute, intelligence from Canada, by which we believe that our arms there have finally been successful, and gained a considerable advantage; but I must conclude this long scroll, and am sincerely

Yours, &c.

JAMES WARREN.

MR. HAWLEY TO MR. GERRY.

WATERTOWN, JUNE 13, 1776.

DEAR SIR,

Last week I received your valued and much esteemed favour of the 25th of May, marked all the contents, and notwithstanding delays and impediments which you mention, I yet flatter myself that your congress, like the calvinistic christian, will go on from one degree of grace to another till you arrive at perfection. You know that a great part of the pleasure of life arises from surmounting difficulties and overcoming opposition.

You cannot declare independence too soon. But the confederation must be formed with great deliberation. When the present house here called last week for the instructions of the several towns touching independency agreeable to the recommendation of the last house, (which recommenda-

tion you undoubtedly saw in the Watertown newspaper) it appeared that about two-thirds of the towns in the colony had met, and all instructed in the affirmative, and generally returned to be unanimously. As to the other towns, the accounts of their members were either that they were about to meet or that they had not received the notice, as it was given only in the newspaper. Whereupon the house immediately ordered the unnotified towns to be notified by handbills, and in a short time undoubtedly we shall have returns from all ; and it is almost certain that the returns will be universally to support the congress with their lives and fortunes, in case of a declaration of independence.

Yesterday our assembly resolved the requisition of 5000 men for New-York and Canada. The house immediately appointed a committee to devise the manner of raising them, and with the utmost assiduity the court will pursue it till accomplished.

I am your most assured friend and servant,

JOSEPH HAWLEY.

Elbridge Gerry, Esq.

The assembly of Pennsylvania had adopted resolutions adverse to independence, and thereby placed a very serious obstacle in the way of this

desirable object. The influence of a central and powerful colony had great weight on the neighbouring population, and it was deemed hazardous by the leaders of the continental congress to make a proposition of such vital importance, while there remained a doubt of its being fully supported.

The delegates from New-York were also unauthorized, or felt themselves not fully authorized to act definitively on this momentous concern, and the neutrality even, and much more the opposition of these important colonies, if it amounted to that, was to be changed before the bold proposal could with safety be made.

Measures were taken in each of these colonies to operate on public opinion, and on 7th of June the long projected resolutions concerning independence were introduced in Congress. They were debated that day and the day following, and again on the 10th, when it was resolved that the consideration of the first resolution be postponed to Monday the first day of July next, and in the mean while that no time be lost in case congress agree thereto, that a committee be appointed to prepare a declaration to the effect of said first resolution, which is in these words, "That the united colonies are and of right ought to be free and independent states, that they are absolved from all allegiance to the British crown, and that all political connexion between them and the state of Great Britain is and ought to be totally dissolved."

The hall of congress was closed during the debates above alluded to. No authorized report of the sentiments expressed by the several members either for or against this important resolution was ever published, and the notes and fragments, preserved by Mr. Gerry among his papers, are much too loose and imperfect to warrant the transcript of a speech, either delivered by himself or any other member of the house. They afford evidence of his having prepared himself to address the assembly, as without such evidence it might be inferred he did from his general habit and the earnestness of his zeal for the success of the measure proposed.

In addition to this however the fact is known by the declaration of one of his colleagues, who for exactly fifty years was permitted to witness the accumulating blessings of that memorable day. Yes, sir, said he to the writer, Mr. Gerry made several speeches, but one in particular, in which he laid out his whole soul. He did not rank as an orator with Richard Henry Lee, but he poured out his reasons with an energy and fervour that spoke the honest conviction of his mind. Yes, sir, we felt obliged to him for his services in debate. There was an honesty and sincerity about him that was better than the thunder of Demosthenes.*

* A distinguished statesman of Massachusetts of the present day, on an occasion when the whole people were gathering in respectful grief round "their dead father's body," undertook

The important vote of congress of the 10th June was on the next day thus communicated to

after the manner of the Roman historian to remove the veil of secrecy which obscured the discussions of the American congress, and to report the characteristic language in which one of its most profound and learned orators *had probably* addressed that listening and anxious assembly.

"A fragment of a speech made in the congress of America by one of the delegates in 1775," was published near the time of its date, which bears intrinsic evidence of the source from whence it came, and at all events discloses the spirit, the range of thought and the style of address, which were *really* brought out by the circumstances of the country.

"The great God, sir, who is the searcher of all things, will witness for me that I have spoken to you from the bottom and purity of my heart. And surely, sir, we have considered it earnestly. I may think of every gentleman here, as I know of myself, that for seven years past this question has filled the day with anxious thought and the night with care. *The God to whom we appeal must judge us.* If the grievances of which we complain did not come upon us unprovoked and unexpected, when our hearts were filled with respectful affection for our parent state and loyalty to our king, let slavery the worst of human ills be our portion. Nothing less than seven years of insulted complaints and reiterated wrongs could have shaken such rooted sentiments. Unhappily for us submission and slavery are the same, and we have only the melancholy alternative of ruin or resistance."

"There are some people who tremble at the approach of war. They fear it must put an inevitable stop to the further progress of these colonies and ruin irretrievably those benefits, which the industry of centuries has called forth from this once savage land. I may commend the anxiety of these men, without praising their judgment."

"War, like other evils, is often wholesome. The waters that stagnate, corrupt. The storm that works the ocean into rage, renders it salutary. Heaven has given us nothing unmixed. The rose is not without the thorn. War calls forth great virtues

the president of the provincial congress of Massachusetts.

and efforts, which would sleep in the bosom of peace. *Paulum sepulchra distat inertia celata virtus.* It opens resources which would be concealed under the inactivity of tranquil times. It produces a people of animation, energy, adventure and greatness. Let us consult history. Did not the Grecian republics flourish amid continual warfare? Their prosperity, their power and their splendour grew from the all animating spirit of war. Did not the cottages of shepherds rise into imperial Rome the mistress of the world, the nurse of heroes, the delight of gods, through the invigorating operation of unceasing war. *Per damna, per cades, ab ipso duxit opes animumque ferro."*

"How often has Flanders been the theatre of contending powers, conflicting hosts and blood? Yet what country is more flourishing and fertile? Trace back the history of our parent state. Whether you view her arraying Angles against Danes, Danes against Saxons, Saxons against Normans, the Barons against usurping Princes, or the civil wars of the red and white roses, or that between the people and the tyrant Stuart—you see her in a state of almost continual warfare. In almost every reign to the commencement of that of Henry VII. her peaceful bosom (in her poets phrase) was gored with iron war. It was in the peaceful reigns of Henry VII. Henry VIII. and Charles II. that she suffered the severest extremities of tyranny and oppression. But amid her civil contentions she flourished and grew strong. Trained in them she sent her hardy legions forth, which planted the standard of England on the battlements of Paris, extending her commerce and dominion."

Those noble English, who could entertain
With half their forces the full power of France;
And let another half stand laughing by,
All out of work, and cold for action.

"The beautiful fabric of her constitutional liberty was reared and cemented in blood. From this fullness of her strength those scions issued, which taking deep root in this delightful land have

MR. GERRY TO MR. WARREN.

PHILADELPHIA, JUNE 11, 1776.

MY DEAR SIR,

Yesterday after a long debate the question of independence was postponed until the first July, in order to give the assemblies of the middle colo-

reared their heads and spread abroad their branches like the cedars of Lebanon."

"Why fear we then to pursue through apparent evil real good? The war upon which we are to enter is just and necessary. *Justum est bellum ubi necessarium, et pia arma quibus nulla, nisi in armis, relinquitur spes.* It is to protect these regions brought to such beauty through the infinite toil and hazard of our fathers and ourselves, from becoming the prey of that more desolating cruel spoiler than war, pestilence or famine,—absolute rule and endless extortion."

"Our sufferings have been great, our endurance long. Every effort of patience, complaint and supplication has been exhausted. They seem only to have hardened the hearts of the ministers, who oppress us and double our distresses. Let us therefore consult only how we shall defend our liberties with dignity and success. Our parent state will then think us worthy of her, when she sees that with her liberty, we inherit her rigid resolution of maintaining it against all invaders. Let us give her reason to pride herself in the relationship."

"And thou great liberty! inspire our souls,
Make our lives happy in thy pure embrace,
Or our death glorious in thy just defence."

This speech is unquestionably a true and faithful report of what was actually delivered in the congress of patriots at Philadelphia. It discovers a richness of mind, which draws at pleasure on the ancient and modern classics and on analogous

nies an opportunity to take off their restrictions and let their delegates unite in the measure. In the interim will go on plans for confederation and foreign alliance.

If these slow people had hearkened to reason in time, this work would have long ere now been completed, and the disadvantage arising from the want of such measures been wholly avoided ; but Providence has undoubtedly wise ends in coupling together the vigorous and the indolent ; the first are retarded, but the latter are urged on, and both come together to the goal.

To the obstructions in council are owing in part our military misfortunes, which, however, we must use as fresh incitements to greater exertions.

Your sincere friend,

E. GERRY.

Efforts were made by those who felt the importance of the crisis to carry the ulterior measure, not merely by a bare vote, but by a full and hearty concurrence in the great act of separation, and to obtain not only the voice of the delegates in congress, but the concurrence of the people.

These efforts were attended with success. It

points of history sacred or profane, indicating its eminent author. There is a boldness too, an animation and an abruptness of manner characteristic of one who was supposed to have declared in the ardour of debate on independence, "Sink or swim, live or die, survive or perish, I give my hand and my heart to this vote."

was urged on the reluctant colonies with great effect, that their condition would be extremely inconvenient when surrounded by a confederacy, in which they were not admitted as members; exposing themselves as slaves in a society of free-men.

The people in New-Jersey and Pennsylvania soon perceived that the original importance of the measure derived new force from the determination of the majority of congress. The delegates from Pennsylvania opposed to the declaration of independence resigned. Those of New-Jersey were recalled, and a new delegation elected, to whom special authority was granted "to join in declaring the united colonies independent of Great Britain, and to enter into a confederation of union and common defence." The assembly of Maryland gave promise of making a change in its delegation, so that before the day fixed for the discussion of the question, it was confidently believed the measure would be carried by a strong and decisive majority.

MR. GERRY TO MR. WARREN.

PHILADELPHIA, JUNE 25, 1776.

MY DEAR SIR,

I am favoured with your very agreeable letter of 10th June, and am in hopes congress will soon

render it unnecessary to take further measures preparatory to the declaration of independence. New-Jersey has appointed five new delegates, and instructed them to vote in favour of the question, and it appears to me there is not even a doubt of any colony on the continent except New-York and Maryland. These will not impede us a moment. I do not affirm that either of these are of the neuter gender, but on the other hand am persuaded the people are in favour of a total and final separation, and will support the measure, even if the conventions and delegates of those colonies vote against it.

Since my first arrival in this city the New-England delegates have been in a continual war with the advocates of proprietary interests in congress and this colony. These are they who are most in the way of the measures we have proposed, but I think the contest is pretty nearly at an end, and am persuaded that the people of this and the middle colonies have a clearer view of their interest, and will use their endeavours to eradicate the ministerial influence of governours, proprietors and jacobites, and that they now more confide in the politics of the New-England colonies than they ever did in those of their hitherto unequal governments.

Your's as ever,

E. GERRY.

The time now approached for the birth of the American republic. On the first of July the committee of congress reported the draught of the declaration of independence. It was debated on that and the two following days, reported to the house from a committee of the whole on the fourth, and on that day solemnly enacted and confirmed as the declaration of independence by the representatives of the United States in congress assembled.

The proceedings of that day present two distinct subjects of consideration, each of importance, though in very different degrees; the erecting namely, of a new empire, and the annunciation of its existence; the independence of the thirteen American colonies and the declaration of that independence by their representatives; the act of separation as a measure of state policy, and the manner of performing it, or the merits of the state paper in which it is contained.

With regard to the act itself, but one opinion now prevails among the intelligent part of mankind. In the merit as in the hazard of that act, there was a common participation by the whole representative body, on whom one common fate impended, either for good if it prospered, or for ruin if it failed.

In the urgency with which it was pressed forward by some, and the hesitation or reluctant support of it by others, distinctions no doubt existed, which it were not now useful to investigate,

While some, like the delegate from Massachusetts, entitled themselves to the honour of being its early and persevering advocates, all by their final acquiescence command the gratitude of their country.

The proposition of 7th June was submitted in the form required by the ordinary rules of a deliberative body by Richard Henry Lee, a delegate of Virginia. In May preceding, the delegates of that state had been instructed to submit such a proposition to congress. As the head of that delegation the duty devolved on him. It was arranged in concurrence with other leading members of congress, who considered it a matter of policy, that Virginia should take the lead. The condition of Massachusetts gave her the appearance of being a more interested party to the question than her sisters of the south; and the states which at that time were the seat of war, had not fully realized the necessity of so bold a movement.

"I shall not tell you," said Mr. John Adams in giving some account of that day to the author, "by whom the resolution was seconded." The journals of congress are silent on this point, but it is now well known that the resolution was seconded by that eminent patriot, who was willing to claim only his equal share of the large honour, which forms a monumental column for the whole assembly.

The committee to make the draught were chosen by ballot, and consisted of Thomas Jefferson,

Dear Sir

Philadelphia 28th July 1776

I have only time to inform you that yesterday
was, agitated in Congress wth great Question of Independence,
and of Facts are as well known at y^e L^o of Bedford as at y^e L^o of York.

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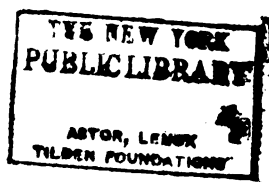
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John Adams, Benjamin Franklin, Roger Sherman and R. R. Livingston. It is an obvious enquiry why Mr. Lee, the mover of the resolution, was not on the committee? It has been answered that he was obliged to leave Philadelphia in consequence of the indisposition of his family, but another cause has been suggested more honourable to his disinterestedness, and which there is reason to believe the true one. Mr. Jefferson had on his first introduction to congress brought with him a high reputation for elegant literature and classic taste, and it was desirable that the councils of patriotism should receive the aid of the learned, as they would encounter the opposition of the powerful. In the selection of a committee, two members could not properly be taken from the same state, and the place was yielded to Mr. Jefferson by the courtesy of Mr. Lee.

It was agreed in committee that each member should prepare such notes as occurred to him, with a view of compiling from their joint contribution, a memorial suited to the subject. Mr. Jefferson's was first read, and was found in the main so perfectly to answer the purpose, that after having undergone some amendments in committee, it was reported to congress.*

* In this statement we have departed in some respects from the account given by Mr. Adams to colonel Pickering, and transcribed into "a discourse on the lives and services of John Adams and Thomas Jefferson," which will become one of the classics in

Some alterations were made by congress, mostly in verbal amendments or by curtailment. In this operation it lost one splendid passage,* which, although it might have been politic to remove it from that particular instrument, proves how early even in Virginia, and how truly the evils of the slave system were ascribed to the councils of the mother country. The plan of the subject, the boldness and vigour of its sentiments, the strength and energy of its language were not altered, and it

our literature. In so doing we have an equally high authority. If the statement in the text is right, Mr. Adams's draught may hereafter be found among his papers and given to the world. It would be a most interesting study, both for the scholar and the statesman, to examine the same great subject as it was evolved and brought out through the different alembics of such mighty minds.

* The passage referred to is the following:—

“He has waged a cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people who never offended him, captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither. This piratical warfare, the opprobrium of infidel powers, is the warfare of a christian king of Great Britain determined to keep open a market, where **MEN** should be bought and sold; he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce; and that this assemblage of horrors might want no fact of distinguished die, he is now exciting these very people to rise in arms among us, and to purchase that liberty, of which he has deprived them, by murdering the people among whom he also obtruded them, thus paying off former crimes committed against the liberties of one people with crimes which he urges them to commit against the lives of another.”

now stands before the world substantially as it was prepared by its eminent author, who if he had not added to this splendid effort the devotion of a long life to the service of his country, would by that alone have acquired a glory coeval with the ages of the republic.

The declaration of independence as a state paper has not often been the subject of criticism. There is an elevation, a dignity and a solemnity in its style suited to the greatness of the occasion. There is a tone of high and chivalrous feeling about it that so well accorded with the temper of the times and with the excitement which the enumeration of wrongs and grievances are calculated to produce, that its faults, if it have any, have contributed to its popularity.

In later time it has been considered too severe in its language; and the objection probably implies, that as we are further removed from the theatre of the revolution, the grandeur and peril of its scenes strike us with less force. We do not feel as our fathers felt.

A state paper prepared for posterity is to deal only with principles as immutable as human nature, and none other have a place in this elaborate exposition. The proper style of their enunciation is a question of taste, but it partakes more of refinement than strength of mind to take offence at the bold language in which an oppressed people would enumerate their wrongs. In the cotempo-

aneous commentaries made on it by the friends of the ministry at home and abroad, there was much cavil at its doctrines and some question as to its facts, but no objection, that we have seen, to its high merits as an effort of intellectual skill. In a true republican spirit it places the objects of government in the good of the governed, and its right on their will ; and as a corollary therefrom asserts the power of the people to abolish one government and institute another, "lying its foundation on such principles, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness."

This was a doctrine to be sure, which had for many years been familiar to the patriots of the American congress. In the controversy between the governour and house of representatives in Massachusetts, it had been the theme of many an able harangue and eloquent state paper ; and to illustrate and enforce it, and to bring the public mind to admit it and to feel its weight and importance, and its inseparable connexion with public liberty, had been the unceasing effort of the republican advocates throughout the continent. The declaration did indeed contain nothing new, but the occasion was not one which demanded new truth or new argument ; it required a solemn, forcible, impressive recognition of truth that was familiar. This the declaration contains. "To say of the author that he performed his great work well,

would be doing him injustice. To say that he did excellently well, admirably well, would be inadequate and halting praise. Let us rather say, that he so discharged the duty assigned him, that all Americans may rejoice that the work of drawing the title deed of their liberties devolved on him."

CHAPTER XIV.

Letter communicating the Declaration of Independence.....Received with joy in Massachusetts.....Character of the Act.....Committee of Congress visit Camp.....Letter from Head Quarters.

THE great event, in which he had most heartily co-operated, was communicated without delay by Mr. Gerry to his constituents in Massachusetts.

MR. GERRY TO GENERAL WARREN.

PHILADELPHIA, JULY 5, 1776.

DEAR SIR,

I have the pleasure to inform you that a determined resolution of the delegates from some of the colonies to push the question of independency* has had a most happy effect, and after a day's debate all the colonies excepting New-York, whose delegates are not empowered to give either an affirmative or negative voice, united in a declaration long sought for, solicited and necessary, the declaration of independency.

* The word was usually spelt in that manner. Hence the point of a remark made by a tory to a member of congress, "You have all gone far enough to be treated as rebels, and may expect to be in a state of pendency (that is to be hung) whether you declare for independency or not."

New-York will most probably on Monday next, when its convention meets for forming a constitution, join in the measure, and then it will be entitled the unanimous declaration of the thirteen United States of America.

I enclose you a copy of the declaration for yourself, and another for major Hawley, and offer you my sincere congratulations on the occasion, and I pray that we may never want the divine aid, or the spirit and the means to defend it.

Yours, &c.

ELBRIDGE GERRY.

The delegates from New-York received the expected authority. On the twentieth of July the places of the delegates from Pennsylvania, who had retired, were supplied by a new election. In expectation of this event it was on the nineteenth of July ordered that the declaration passed on the fourth, and which had in the usual manner been authenticated by the signature of the president only, be fairly engrossed on parchment with the title and style of "The unanimous declaration of the thirteen United States of America," and that the same when engrossed be signed by every member of congress. On the second day of August the copy being made and examined was signed at the table by the members then present, and

of course bears the names of some gentlemen, who were not members on the day it was originally adopted.

As an event in political history nothing is entitled to higher consideration than the independence of the United States. Not merely did a new nation take rank with the empires of the earth, but the immutable principles, on which its right to do so rested, became distinctly avowed, better understood and more widely extended, and a foundation was established for incalculable improvement in the moral and political character of mankind.

The necessity of a change in the relation between Great Britain and her colonies was early perceived by American statesmen. It was urged on by men of forethought and political knowledge, and was consummated by a fearlessness and intrepidity, which disregarded all personal considerations in devotion to the public good.

Physical courage merely is not indeed a rare quality. It is seen in the rudest of our race. Its greatest efforts are often displayed for very inferior objects. But that higher quality of mind, which shrinks not from the most fearful responsibility that duty requires, and is ready to jeopardize not merely life or fortune, but what to men of this class is their dearer jewel reputation, on the uncertainty of future events, is the sublimest display of moral greatness. Men are drawn into battle often by an impulse, which they cannot control ; they engage

in a profession, which is conversant with danger, when its threatenings are too far distant to produce any sensible effect ; they are hurried through the field of death by that excitement and enthusiasm, which render them for the moment insensible of personal peril. By a wise ordinance of nature the instinct of self preservation ceases on those awful fields of carnage, where mountains of the slain show to how little purpose it could operate, and a new feeling more of frenzy than of reason produces prodigies of valour by men, who have no interest in the result ; who seem destined to equal suffering, whether the battle be lost or won.

The educated and intelligent mind in the exercise of moral courage has harder and nobler duty. Life to a man of this character is not the mere fact of animal existence, but the manner of it. It is fame, honour, renown. To him it is not a question, whether he shall court danger and die nobly, but whether the conduct, which may terminate life, will not sacrifice reputation. The prospect before him is not glory in the field, but ignominy on the scaffold ; not the honour which is never denied to a brave man beaten in battle, but the shame which attaches to the convicted traitor, whose misfortunes imply false calculation, and are registered as crimes. No impulse but judgment, no enthusiasm but duty contributes to this moral firmness. It is cool, calculating and deliberate. It decides in the calmness of reflection, when duty and danger,

or defection and safety are not concealed by any parade of circumstance.

Men of this description composed the American congress. Posterity will be generous to their fame. Every year has increased the brightness of their glory. The signers of the declaration of independence will receive the admiration of a grateful country through all the coming ages of the American republic.

The news was received every where with joy and festivity, and especially by the patriots of Massachusetts,* who had so earnestly urged the consummation of independence.

MAJOR HAWLEY TO MR. GERRY.

NORTHAMPTON, JULY 17, 1776.

DEAR SIR,

I have often said that I supposed a declaration of independence would be accompanied with a declaration of high treason : most certainly it

* It was announced in Boston with military pomp. Gunpowder was plenty enough to allow of a grand national salute of thirteen guns. The public officers partook of a collation in the council chamber.

Success is more rarely borne with equanimity than misfortune. "In the evening the king's arms, and every other sign with any resemblance to it, whether Lion and Crown, Pestle, Mortar and Crown, Heart and Crown, &c., together with every sign that belonged to a tory were taken down, and the latter made a general conflagration of in King's Street."

must immediately and without the least delay follow it. Can we subsist? Did any state ever subsist without exterminating traitors? I never desire to see high treason extended here further than it is now extended in Britain. But an act of high treason we must have instantly. The colonies have long suffered inexpressibly for want of it. No one thing made the declaration of independence indispensably necessary more than cutting off traitors. It is amazingly wonderful, that having no capital punishment for our intestine enemies, we have not been utterly ruined before now. For God's sake, let us not run such risks a day longer. It appears to me, sir, that high treason ought to be the same in all the United States;—saving to the legislature of each colony or state the right of attainting individuals by act or bill of attainder. The present times show most clearly the wisdom and sound policy of the common law in that doctrine, or part thereof, which consists in attainting by an act of the whole legislature. Our tories (be sure the learned of them) knew very well the absurdity of punishing as high treason any acts or deeds in favour of the government of the king of Great Britain so long as we all allowed him to be king of the colonies. Dear sir, this matter admits of no delay; and when the act declaratory of high treason is passed, the strongest recommendation for a strict execution of it, I humbly conceive, ought to accompany it. Our whole

cause is every moment in amazing danger for want of it. The common understanding of the people (like unerring instinct) has long declared this; and from the clear discerning which they have had of it, they have been long in agonies about it: they expect that effectual care will now be taken for the general safety, and that all those who shall be convicted of endeavouring by overt act to destroy the state, shall be cut off from the earth.

The levying an army for the war after the first of January next lies heavy upon me. The present levies for reinforcing the armies are by order of congress only till the first of December next. It appears to me high time to set seriously and in the greatest earnest about it. I observe, sir, that you charge the miscarriages in Canada partly to the short time for which the troops were raised. You know that nothing will detain our people after the expiration of the term for which they were engaged. It will be in vain to attempt to enlist New-England people for a longer term than two years. No bounties will induce them to engage for a longer time; I fear for no longer time than one year.

I have not time to add a word more. Too early or earnest care cannot be taken for the providing good barracks and covering for our northern army or armies against the cold season of the year: they suffered much last campaign when about Boston, for want of seasonable covering and firing.

We are apt to delay. Let us strain every nerve. Don't let us hesitate a moment at any necessary expense. We will conquer or die. Amen.

If you judge any thing in this confused epistle worth communicating to your brethren of this colony, (to whom I present my sincerest respects) you are at liberty to communicate it.

And I am, dear sir,

Your true friend,

And faithful humble servant,

JOSEPH HAWLEY.

Mr. Gerry.

MR. DALTON* TO MR. GERRY.

NEWBURYPORT, JULY 19, 1776.

DEAR SIR,

I wish you joy on the late full declaration,—an event so ardently desired by your good self and the people you particularly represent. We are no longer to be amused with delusive prospects. The die is cast. All is at stake. The way is made plain. No one can now doubt on which side it is his duty to act. We have every thing to hope from the goodness of our cause. The God of justice is omnipotent. We are not to fear what

* Mr. Dalton was speaker of the house of representatives of Massachusetts, and afterwards a member of the senate of that state, from which he was elected to the first senate of the United States under the present constitution.

man or a multitude can do. We have put on the harness, and I trust it will not be put off until we see our land a land of security and freedom, the wonder of the other hemisphere, the asylum of all who pant for deliverance from bondage.

Wishing every blessing to attend you, I am,
dear sir, with great regard,

Your obedient servant,

TRISTRAM DALTON.

The situation of the united colonies at the time when the bold measure of severing their connexion with the British crown was in debate before congress, was not one which could have accelerated the event by the specious flattery of recent success. The declaration was reported and the resolution confirmed from a conviction on the minds of its illustrious advocates that it was the right of the country to assume independence; that the declaration would strengthen their own arm, increase their resources, facilitate a connexion with foreign powers, and lead to the successful termination of the struggle in which they were engaged; but no part of the motive in which this interesting occurrence originated, could have been derived from a false estimate of security or the undue elevation which good fortune too frequently inspires. The American cause had as yet little for encour-

agement, beyond the righteousness of its principles, and the firmness and moral feeling of the country.

The British army, it is true, had been forced to evacuate Boston ; but the labour of the contest convinced the Americans of their weakness, and of the vast expense at which future efforts were likely to be made. The leaders of the revolution-cause were satisfied that they were miserably deficient in all the necessary preparations for war. They were aware of the inadequacy of their funds ; of the great difficulty with which money or its representative could be commanded ; and what was even a more serious difficulty, of the reluctance with which the people would submit to the requirements of a state of war ; of the jealousy every where entertained of a military force, of their unwillingness to give it a permanent character, and of the prodigality and inefficiency of the only organization, which their habits would allow them to provide for an army. At the moment the plan of independence was in debate, general Howe had returned from Halifax ; and before its actual adoption, the British army had taken possession of Staten Island and menaced the city of New-York. It was not then under the excitement of victory and in the flush of success, that the patriots of 1776 determined to proclaim the independence of their country ; it was in the school of adversity, amid calamities which already pressed upon them

with severity, and in the prospect of dangers of indefinite continuance that the resolution was adopted to live free or die.

The independence, which had been declared with so much boldness, it became necessary to defend. General Howe, in conjunction with his brother the admiral, came with authority to contest the claims of the Americans by force, or to conciliate them by offers of peace. All attempts at negotiation within the limits of their commission were soon rejected, and the hostile armies prepared to contend for victory in the field.

The first efforts of the enemy were directed on Long Island, where general Sullivan under the immediate inspection of the commander in chief was stationed in great force, with good expectation of maintaining his defence. The result of the battle was disastrous in the extreme. An unprecedented slaughter of the best troops of the country was sustained; and the preservation of the remainder was owing to the personal exertion and ability of general Washington, whose "retreat from Long Island may justly be ranked among those skilful manœuvres which distinguish a master in the art of war."

There were not wanting, however, enemies of the fame of this great man, who were willing to use the unfortunate result of the engagement of the 27th August and the disasters which followed it, to the injury of his reputation as a general,

and to take advantage of the irritation always produced by want of success, to diminish the lustre of a character which owed its greatness not to fortune but to virtue.

In a letter, addressed by the general to congress soon after this event, the true source of the evil was more correctly pointed out. It was ascribed to the insubordination of the detachments of militia, and the infection of their example on every other part of the army. "The militia," says he, "instead of calling forth their utmost efforts to a brave and manly opposition in order to repair our losses, are dismayed, intractable, and impatient to return." He urged on congress the futility of depending on any force collected by short enlistments, and pointed out the unwarrantable expense of these temporary recruits, whose wastefulness and ignorance cost in the end more lives and money than a permanent army.

The pressing remonstrances of the commander in chief, and the painful lessons of experience obtained the attention of congress. The board of war were directed to prepare a plan for the next campaign, and a committee of congress consisting of Mr. Sherman, Mr. Gerry and Mr. Lewis, were appointed "to repair to head-quarters near New-York, to enquire into the state of the army, and the best means of supplying their wants."

It was a moment of difficulty and discouragement, but it did not enervate or diminish the con-

fidence and zeal of Mr. Gerry. He derived from the disasters of the time new motives for greater exertion, and a resolution to proceed with more activity and vigour.

“The congress have ordered me here,” said he in a letter from the head-quarters of the army, dated 28th September 1776, “with two other gentlemen, to enquire into the state of the army and report a plan for supplying its wants. We have attended the business very closely with all the general officers three days, and shall return with all expedition.

“The situation of the camp affairs I dislike, but doubt not we shall soon bring them right. Resolution and perseverance will carry men through difficulties, which at first view look insurmountable, and I hope Americans will ever keep this in mind as an animating consideration under disappointments, which naturally happen in war.

“We have been fortunate enough to procure the resignation of the former quarter-master-general, whose department was in an exceeding bad way, and have prevailed on general Mifflin to resume it. This has given affairs new life. Our plan is to reinforce the army, adopt more effectual means for clothing it; to hasten the new levies; to procure better officers, and have an instructor of the first abilities for the officers of each brigade; to establish a laboratory under the direction of a board of ordnance; to regulate the hospital *de novo* that

better care may be taken of the sick ; and various other minor improvements. The general aspect of our affairs has nothing that ought to discourage us ; and the misfortunes of the army should lead us to make greater exertions.”*

The measures indicated in the foregoing letter were recommended to congress in a report of the committee made on the third of October. After a discussion and delay of several days, resolutions were passed in conformity to its principal provisions. Additional clothing was promised to the noncommissioned officers and soldiers, who would engage in service during the war ; the states were required to have their levies completed by the 10th November ; a greater regard to the character of the officers was enjoined in their appointment ; the general and regimental hospitals were new organized, a commissariate general of clothing was established, general Mifflin appointed quarter-master-general, and the sum of three hundred thousand dollars advanced for the articles which he had reported to be wanting in his department.

These measures were scarcely arranged and the

* At this visit to camp Mr. Gerry accompanied some of the general officers on a reconnoitring party. In order to take a nearer view they left their horses in a hollow, and went on foot to a piece of high ground on which it would have been imprudent to appear on horseback. The enemy discovered them. A shot from a cannon cut the tree at which Mr. Gerry's horse was fastened, and he left his master to take care of himself. The party narrowly escaped being made prisoners.

confidence of the people revived in some degree by the activity and perseverance which they indicated, when on the 17th of the same month the finances demanded the renewed attention of congress, and Mr. Gerry was appointed chairman of a committee "to bring in a plan for the better regulating the treasury board."

Business of more pressing emergency prevented any great improvement in the details of this department. Disaster continued to shroud the American arms. A powerful and victorious enemy were crowding on them, and exhibiting superiority of discipline and knowledge in the art of war, as well as an overwhelming disparity of force. Philadelphia was threatened, and congress quitted that city for Baltimore on the twelfth of December.

In no wise discouraged by successive misfortunes congress under the influence of that inflexibility of purpose, by which its prominent members were distinguished, never for a moment despaired of the commonwealth.

They resorted to the source of all power for aid to their struggling fortunes, and directed the observance of a day of solemn fasting and prayer. Nor did they ask the assistance of Heaven without doing what they could to deserve it. Their own power was exerted in manly efforts to check the sweeping tide which was threatening them. With a generous confidence in the sincerity of the popular will to accomplish the great objects of the

contest, and a well placed reliance on the enduring patriotism of the illustrious commander of their armies, they did in effect appoint him dictator for six months, with authority to take the most speedy and effectual means to raise sixteen battalions of infantry, three thousand light horse, three regiments of artillery and a corps of engineers; to take whatever he might want for the use of the army, to arrest such as refused to receive the continental money or were otherwise disaffected to the American cause, with other equivalent powers, which it would have been safe at no other time to have intrusted to any man, and to no other man at any time than to the virtuous Washington.

CHAPTER XV.

New commission as Delegate from Massachusetts.....Letter of Robert Treat Paine.....Committee of Congress sent to Camp.....Letter of General Washington.....of General Warren.....Another Committee of Congress sent to Camp.

THE disasters of the army of the United States in the latter part of 1776 had in some degree been relieved by the brilliant affairs of Trenton and Princeton, and congress returned to Philadelphia on 4th March 1777.

The commission of the delegates from Massachusetts was renewed by a vote of that state, and two gentlemen already distinguished for their attachment to the cause of the people, Mr. James Lovell and Mr. Francis Dana, added to their number.

Mr. Gerry continued assiduously at his post in congress during the whole of the year, and in the alternation of good and ill fortune, which successively attended the arms of his country, maintained in her councils the same equanimity of mind, and exerted himself to animate others with that steady resolution by which alone the great objects of the controversy could be accomplished.

It was not however in the military department only that causes of anxiety were continually re-

curing. To support an army, means were required novel in their character and oppressive in their operation, and devices were resorted to for the purposes of immediate effect, which the statesmen of the day were compelled to adopt, not as most wise in themselves, but as the best which the condition of the people would permit.

Mr. Paine, one of the delegation, had a recess from his duty in congress in the early part of the year, and from a nearer point of observation thus describes some matters of interest in the state of Massachusetts.

MR. PAINE TO MR. GERRY.

BOSTON, APRIL 12, 1777.

MY DEAR SIR,

I have before me your kind letter of February 14th, and have delayed writing merely because I was in expectation of collecting something solid and decisive respecting some public measures, but matters seem to be worrying on at a strange rate; the regulating act, though framed with the greatest care and good intentions, and though called for by almost every body, is now reprobated by many and obeyed by few. Many that are supposed good judges in the mercantile way tell you, "that if silver and gold were passing instead of

paper, the prices of goods would be as high, and that nothing but reducing the glut of paper currency will save the credit of it." No doubt goods would be higher in war than peace, and the act made provision for that, and meant to state such prices as silver would regulate in time of such war: but the glut of money is horrible. Yet while I lament the emission of such quantities I can but recollect the occasion: taxation should have begun sooner, loans should have been coeval with the emission: but unhappily, governments were not sufficiently formed nor the people prepared in all of them for the former; and the seat of war drawing the bulk of the currency with it, made loans impracticable and disagreeable in other governments. The remedy is obvious: particular governments must emit no more, on pain of censure. Rhode-Island in particular must be watched most narrowly, or she will drown New-England with paper, and then suffer individuals to do all in their power to depreciate it; of which there are some shocking instances. We have begun taxation with an assessment of 105,000*l.*; and such has been the largeness of the bounties given by some towns to raise the new army, as to equal their proportion of the public tax; which altogether falls as heavy again on individuals as it did last war. But the great evil lays here, for which some remedy must be found: the cause of the war has thrown property into channels, where before

it never was, and has increased little streams to overflowing rivers : and what is worse, in some respects by a method that has drained the sources of some as much as it has replenished others. Rich and numerous prizes, and the putting six or seven hundred per cent. on goods bought in peace time, are the grand engines. Moneys in large sums, thrown into their hands by these means, enables them to roll the snow ball of monopoly and forestalling ; and thus while these people are heaping up wealth and (what is very astonishing) doing every thing to depreciate their own property, the remaining part are jogging on in their old way, with few or no advantages, and the salary men and those who live on the interest of their money are suffering exceedingly. Let us now apply taxation to these circumstances. The man of visible property will stand highest in the valuation. It is exceeding hard to ascertain stock in trade ; and with many of these people large sums come and go lightly : by this means they who are best able to pay the tax and circulate the money back to the fountain where it is wanted, escape with a very small proportion, while others who stand high in the valuation because they used to be so, are called upon for sums that bear hard upon their abilities. Cannot some mode be hit upon to draw money by taxation from those who are really the possessors of it ? Might not an impost on privateers or their prizes be so contrived

as to bring large sums to the treasury without discouraging that business? Why should one part of the community reap such large profits by a branch of business licensed by congress, without contributing their proportion towards supporting government? It will eventually be serviceable to them, as it tends to secure their accumulated wealth from the enemy and from depreciation. If the southern governments say they are not ripe for these matters or do not need them, I hope they will consent to some useful measures for regulating matters with us. The lottery tickets came at last and sell rapidly; and I think the sale of the first class will ensure the sale of all the others: the plan is very popular. The loan tickets sell very fast, and I please myself with the prospect of great profit from these branches. For Heaven's sake, let something be set a-going before these are exhausted. There must not be more money emitted, and all the colonial emissions must be called in as soon as possible.

I have wrote Mr. Hancock about our progress in cannon making. They make good iron field pieces at Connecticut and at Providence. I hear Mr. S. Adams was very ill at Baltimore, but I had the pleasure of hearing from his lady the other day that he was recovered. My compliments to both the Mr. Adams': I intended to have wrote them on particular subjects, but continual avocations render it impracticable. Pray describe to

me as nearly as you may, the situation of your affairs. Without any great skill in astrology, I calculate that you intend to send for me seasonably, before dog days come on. I hope you are well and in good spirits. Remember me to Mr. Lovell. I wish to know to what pitch the price of living and expenses have arisen.

The house have passed a resolve calling upon towns to instruct their next representatives to consult and form government: it now lays at the board. The small pox is breaking out continually,—hospitals erecting in very many places. There are so many objects of importance to attend to, that one may well say in a political sense, the harvest is great, but the labourers are few.

I am your friend and servant,

R. T. PAINE.

Mr. Gerry.

In July Mr. Gerry, with Mr. P. Livingston and Mr. Clymer as a committee of congress repaired to the head-quarters of general Washington, where in pursuance of their commission, they instituted a diligent enquiry into the state of the army, and particularly into the causes of complaint in the commissary's department, having authority to make such provision as the exigency and importance of the case required. Several days were passed by the committee in camp in the duties of

this appointment, which resulted in reforming in various important particulars the details of the service. The labour of the committee did not end with their residence at camp.

GENERAL WASHINGTON TO MR. GERRY.

CAMP AT PENNYBACKERS MILL, SEPT. 27, 1777.

SIR,

I am favoured with your's of the 25th. I yesterday wrote you that I did not think myself authorized to seize upon any arms the property of private persons ; but if they can be collected and the owners satisfied for them, it would be of very essential service, as great numbers of militia would join the army could they be furnished with arms. I am glad you have began the collection of blankets and shoes ; this business cannot be carried to too great an extent ; and I think if the measure is properly pursued, great quantities of blankets, rugs and coverlids, may be collected in the back counties.

The approach of the enemy to Philadelphia hindered the officers I sent upon that business from doing much. The disaffected hid their goods the moment the thing took wind, and our friends had before parted with all they could spare.

As soon as Gibson's regiment, or any of the

Virginia militia arrive at Lancaster, be pleased to forward them without delay.

I am, sir, your most obedient servant,

GEORGE WASHINGTON.

The evils resulting from the vicious system of supply, which had thrown on the continent a flood of depreciating paper, uncertain in its value, fluctuating from day to day, and redeemable only from such irregular sources as rendered all negotiations mere speculations with the hazards of a lottery, were increasing in magnitude and variety. The attention of congress, as well as the local governments, had been repeatedly drawn to it as a millstone which hung round the cause of the country, and so fastened to it that neither art nor strength had yet been able to remove it. Not only the price of all articles were excessively high, but even a high price would not always command them. A system of extortion, it was supposed, was practised by those who had the means of supplying the army, which was now brought distinctly under the animadversion of congress, and a series of resolutions were adopted by them for the prevention and punishment of this conduct, which in the earlier period of the contest could not have been thought necessary or even possible. These resolutions, which recommended the seizure of private property on certificates be-

ing given of its value, and other measures not then accordant to the manners of the people, it was deemed proper to explain and justify in a circular letter. Mr. Gerry was added to the committee, by whom the resolutions were reported, for the purpose of making the requisite defence of a system of such novelty and boldness.

The circular letter, prepared for this purpose, displays the indignant feelings of the writer at the alarming increase of venality and corruption, at variance as they were with that disinterested spirit, by which alone the revolution could be made successful.

"It is with deep concern," the letter proceeds, "that congress after having for some time contemplated in painful silence the mischiefs, which threatened this extended continent from the growing avarice of the times, feel themselves constrained to recommend measures which the virtues of all classes of men rendered not long since unnecessary, and which a scrupulous regard for security of property to every citizen of these states has hitherto restrained them from adopting. But unhappy the case of America! laws unworthy the character of infant republics are become necessary to supply the defect of public virtue and to correct the vices of some of her sons, and she is called upon by the grand principle of self preservation to guard against the parricide of those she has fostered in her bosom."

GENERAL WARREN TO MR. GERRY.

BOSTON, Nov. 24, 1777.

MY DEAR SIR,

I received your's of the 29th October, and am well pleased with the bravery of our troops in the defence of Red Bank. I hope they will continue to repulse the enemy till they give up the project of getting their ships up. In short I hope to hear that Howe and his army are reduced to at least the same situation that Burgoyne is in. Whether I expect too much or not you can best tell, but my faith is great, and when our northern boys join the army we here shall expect great things. We are frequently flattered with great expectations from the accounts we have, but it is impossible to describe to you how uncertain our intelligence is. We used to hear as often and with as much certainty of the operations of war in Flanders as now in Pennsylvania. We have had an account for a week, as you will see in our papers, of another attack on Red Bank by Cornwallis, but cannot get the certainty. I am glad to hear the confederation is so nearly completed, and that you are going to have recourse to taxation and confiscation; the first is necessary, the last is useful and shows a manly resolution. We have a large tax this year, and to be paid in without delay, which with stopping the circulation of all money but continenatl,

have already (though the time for stopping circulation is not by law to commence till the first of December) had great effects. I see with pleasure the merchants wanting money, and I am told that all kind of goods are falling. Yesterday arrived here a French merchantman from Bourdeaux with goods, linen and woollen, and also one of our privateers from the same place in nine weeks. I have tried this morning to get you some intelligence, but cannot. It is said this privateer had great indulgence and assistance afforded him, but that there was an order for all American vessels to depart by a certain time, but he conceives it to be a piece of French finesse. In short the French politics appear to me mysterious. They had heard of the taking of Ticonderoga, but the people in general did not believe it; the court, however, might. These people say that it don't appear to them that the French wish for a war. They don't conceive the breach between England and America to be yet wide enough, and suppose we should again unite with Britain. However, if we can do for ourselves so much the better, and I hope with a continuance of the blessing of Heaven we shall. I congratulate you on the success in the north. I hope you will return me your's on an equal success in the south. The conduct of the expedition against Rhode-Island has tarnished our glory, but that expedition has ended as I prophesied to you it would. We wanted nothing but a head; we

had it not, and succeeded accordingly. I am obliged to write this morning in a great hurry, and can only add my regard to friends, and wishes for your health and happiness, and am with great sincerity your's, &c.

JAMES WARREN.

Elbridge Gerry, Esq.

Another circumstance not less important demanded the attention of congress. Philadelphia was again in the power of the enemy. The efforts to preserve it at Brandywine and Germantown had resulted certainly in the defeat, and according to the opinion of an increasing party, in disgrace to the American arms. The projected retirement of general Washington to winter quarters was represented as a fault, and probably believed to be so by those, who always consider misfortune as a crime. The assembly of Pennsylvania distressed by the loss of their capital, and desirous of throwing the blame on others, which in part at least was attributable to their own neglect and supineness, addressed a remonstrance to congress against the measures of the commander in chief, and expressed very strongly their disapprobation at the conduct of the war.

Under these circumstances on 28th November Mr. Morris, Mr. Gerry and Mr. Jones were ap-

pointed a committee forthwith to repair to the army, and in a private confidential consultation with general Washington to consider of the best and most practicable means for carrying on a winter's campaign with vigour and success—"an object which congress has much at heart, and on such consultation with concurrence of general Washington, to direct every measure which circumstances may require for promoting the public service."

Before the arrival of this committee the opinion of the general officers had been taken in a council of war and a resolution adopted, which the weakness, rather than the inclination of the parties rendered expedient, to leave Philadelphia without further effort in possession of the enemy.

The written opinion of the council and the statement of the general were submitted to the revision of this committee. Whether the facts it disclosed or the argument supporting it would have made a like impression on the minds of the deputation from congress was not ascertained, for during their discussion general Howe marched out of Philadelphia with a view of attacking the American lines. A series of marches and countermarches ended in retirement to winter quarters, the English in Philadelphia and the Americans at Valley Forge. During these movements the committee continued in the field, adding to the influence of their civil station the services of military volunteers.

"We were anxiously desirous," says Mr. Gerry

in a letter of 12th December, "of an attack on the city, that as our troops were superiour in point of numbers one vigorous exertion might have caused general Howe to share the fate of his brother Burgoyne, and should not have hesitated to have called in militia from Virginia to Massachusetts Bay, but the general had before our arrival consulted his officers and found them averse to it with their present force."

"I am sometimes induced to wish that the two armies were in the eastern states, that the militia like a cloud might rise and overwhelm the enemy, but after many instances of most happy events from what we supposed unfavourable circumstances, I cannot but apply to the present contest the general principle of Mr. Pope, 'Whatever is, is right.'"

The committee of congress made their report on the 16th, and after discussion a resolution was adopted which implied some dissatisfaction in that body, and conveyed an intimation that more vigorous exertion of the military power of the continent ought to be used for the preservation of that part of Pennsylvania which lies east of the Schuylkill, and of the state of New-Jersey.

CHAPTER XVI.

Intrigues against the Commander in Chief.....Massachusetts Delegation vindicated from any share in these Intrigues.....Correspondence with General Knox.....Letter from Francis Dana.

To the perils and embarrassment which on every side beset the illustrious commander of the American arms was added, in that dark and gloomy period of the war, a diminution in some degree of the confidence of some individuals in congress.

The intrigues of general Conway, the good fortune if not the ambition of general Gates, and the melancholy depression of the forces under the immediate direction of the commander in chief, conspired to throw round him a gloomy atmosphere of dissatisfaction, which congress could not escape.

It was the darkness and distrust only of a moment. The unshaken firmness, the cool, collected self-possession, the disinterested virtue of Washington, dispelled the delusion. Men saw the greatness of his mind, the integrity of his principles, the unsullied purity of his motives; they realized that reverential feeling with which he inspired those, whose fortune brought them with him into any of the relations of military life.

The dissatisfaction, which was circumscribed, though it undoubtedly existed in congress, a for-

eign writer has unjustly charged on the Massachusetts delegation.

“It was believed at the time,” says Botta in his history of the war of independence, “that the members of congress from Massachusetts, and particularly Samuel Adams, had never been able to brook that the supreme command of all the armies should have been conferred on a Virginian to the exclusion of the generals of their province, who then enjoyed a reputation not inferior and perhaps superior to that of Washington. It appeared also, that these delegates being the most zealous partizans of the revolution, were far from approving the moderation of the commander in chief. They would have preferred placing at the head of affairs a more ardent and decided republican; and it is asserted, that they were on the point of demanding an enquiry into the causes of the unsuccessful issue of the campaigns of the years 1776, 1777.”

There is great incorrectness in this statement, and great injustice also to the character of the Massachusetts delegation.

The appointment of general Washington to be commander in chief of the armies of congress, was made on the nomination of Mr. John Adams; and had been first recommended in a letter to the Massachusetts delegation written by Mr. Gerry with the approbation of general Joseph Warren.*

* See page 79.

It was received with cordiality by the leaders of the opposition in the colony of Massachusetts Bay on account of his preeminent qualifications. No man at that period had acquired higher military reputation. In other not less necessary qualifications for a commander of such an army, in prudence, judgment, high moral worth, weight of personal character, and in the stake of private property which he had in the contest, no individual in the nation had at the time of his appointment a claim to this dangerous distinction over the eminent officer on whom it was conferred.

Policy would have reconciled the patriots of New-England to the appointment. It was important to enlist the feelings and the interest of their southern brethren in a controversy, which then but remotely involved them in its consequences ; and this could not better be done than by giving to their most distinguished citizen the command of the national force. It drew to the standard of the country those whom the personal character of the general could not fail to attract to any cause in which he was engaged, and it was the evidence of a generous confidence in common exertions for a common cause.

The imputation of less worthy motives than can be derived from an honourable attachment to the great cause of the people is disingenuous and unfair. It is supported by no proof, and is refuted by that personal devotion to the public service,

which marked all the public and private sacrifices of men, who constantly exhibited evidence that they had no other object than the general welfare.

That the delegates of Massachusetts were, as the Italian writer asserts, the most zealous partizans of the revolution, is certainly true; but that they on that account "were far from approving the moderation of the commander in chief," is an inference, that does not follow from the premises, and is entirely without corroboration from extrinsic circumstances.

The commander in chief was at no time chargeable with moderation, in the offensive sense which the term supposes. In a warm and zealous disposition to prosecute the war with energy and effect, in solicitous and importunate efforts to excite congress to early and permanent measures for a display of military force, in constant remonstrances against the dangers of short enlistments and the inefficiency of the departments of the army under their immediate direction, the last accusation which could be urged with any plausibility against general Washington, was an unreasonable moderation.

The Fabian policy, which he adopted at times of discouragement and depression, was not, it is true, surrounded by the splendour and fascination of a more adventurous and enterprising course, but the delegates of Massachusetts were not wanting in that maturity of judgment, which appreciated

the full value of his prudence and decision. The clamour that arose proceeded from men, who either felt less intensely than they did for the final success of the great cause in which they were engaged, or saw with less perspicuity than marked the Massachusetts delegation, the necessity of measures, which, if they did not equal their wishes, were commensurate with their means.

It happens, however, in further contradiction of the imputations of the writer before alluded to, that at the time of the movements in congress connected with the commander in chief, two principal members of the delegation of Massachusetts were absent from that body. Mr. Samuel Adams and Mr. John Adams left Philadelphia for Massachusetts on the 11th November 1777. Mr. Gerry, Mr. Dana and Mr. Lovell remained to represent the state. Had any measure, having so extensive and important an operation as the expression of disaffection* to the leader of the national army been then in preparation, it is hardly to be imagined that these eminent men would have retired from their post. Nor can it with the least propriety be imagined that in the absence of their distinguished colleagues, the remaining representatives of Massachusetts, two of them new members, would have been instrumental in promoting so hazardous an experiment.

But it rests not on conjecture or argument. In the intercourse which was maintained between

Mr. Gerry as a member of the committee of congress and the commander in chief, and in his letters to other correspondents concerning the military affairs of the country, there is abundant evidence that no feeling of hostility existed in his mind ; and we are sure that general Washington reposed with great security on his esteem and friendship and unremitted support.

The disaffection of some individuals in congress towards the commander in chief, was suggested in conversation by Mr. Gerry to his particular friend general Knox, the gallant commander of the American artillery, known by the strong feelings of personal friendship, which not less than official duty bound him to his distinguished leader, and certainly the last man in the army to have been intrusted with a secret cabal or intrigue against Washington.

General Knox being separated by the sudden movements of the army from the vicinity of Mr. Gerry, addressed to him a letter upon the subject. Unwilling to put upon paper the nefarious design which his generous attachment made him desirous of investigating, he writes in a style that without explanation might not easily be understood, but which by reference to the time and circumstances, it is easy to see relates to movements in congress hostile to the commander in chief.

GENERAL KNOX TO MR. GERRY.

ARTILLERY PARK, GREAT VALLEY, JAN. 4, 1778.

DEAR SIR,

When we parted I expected soon to have had the pleasure of some conversation with you, but the movements of the enemy prevented.

The subjects then started appeared to me of such magnitude and pregnant with such consequences, that I freely confess I wished to have had my mind relieved from some painful apprehensions, which possibly might have been taken up without sufficient information. You then seemed to think the matter which was mentioned improbable and impossible, and it appeared so to me too; but intrigue, misinformation, caprice and unsuccessful efforts combined, may very probably have had effects on the minds of good men. How far these have been practised you best know. I think from the conversation general G. and we had together, you will be able to recollect enough to have a clue to this paragraph, which may otherwise be obscure.

It is a matter of consequence, that those in the senate should be well acquainted with the sentiments that pervade the army and community at large. The prepossessions of the army in favour of the character hinted at, are founded upon a thorough experience of his ability, judgment, cour-

age and attachment, and they would infinitely prefer him before a Turenne or a Condé. Every military character on this continent, taken collectively, vanishes before him ; and he is not only a soldier, but a patriot in the fullest sense of the word ; and as it is impossible truly to describe a living character, it must be left to posterity to do him ample justice.

I have thought I observed a certain jealousy of the army, as if they wished to be invested with powers and commands inconsistent with the liberties of the people. Certainly this is a most laudable jealousy, provided it does not go so far as to impede the public cause. That there are persons who have been and are still in the army, who wish to have their power perpetuated at the expense of the liberties of the people, is but too true ; but it is by no means the sentiment or wish of the army in general, who consider themselves only as citizens in arms, and who would rejoice to return to private life were the independence of America established. They are citizens of America, attached to her by every tie binding on the heart ; and the man ought to be suspected of the blackest villany, who would endeavour to propagate an unreasonable jealousy of them.

It cannot possibly be supposed that the pay the soldier receives is his only inducement to enter the field. Those who have known the hardships and severities of the two last campaigns must think

otherwise : nor can the officers' pay and rank be reckoned his sole motive. Something must be attributed to a rational, manly desire to be instrumental in the defence of the liberties of his country.

Rank, which is the greatest spur to glorious actions, is distributed to any that lay claim to it, in a manner disgraceful to the army at large, and particularly those superseded. Men have been rewarded with rank without having the least pretensions to it, unless cabal and intrigue are reckoned pretensions. Persons have undeservedly been disgraced by some late promotions, who entered the service at the commencement of hostilities with the most pure ardour to serve the cause, and who have continued exerting their utmost abilities for the happiness of their country. Yet after their utmost endeavours they find congress, the collective wisdom of the people, despise their exertions and abilities, and disgrace them in the face of the world, put to torture all the fine feelings of the human heart, and fill the mind with chagrin and disgust. And for whom or what ? For conspicuous merit ?

I can attribute it to no other cause than a disinclination to say, no. Perhaps I am in the wrong. I know not the motive, but wish you to inform me ; not with a view of being reconciled to it, but to govern myself and act with consistency. I shall in a few days set out for New-England, in

order to make the proper arrangements in the ordnance department for the next campaign. I shall take it kind of you, if you will write to me and direct to Boston.

I am, dear sir, with great respect,

Your most obedient humble servant,

H. KNOX,

Elbridge Gerry, Esq.

MR. GERRY TO GENERAL KNOX.

YORK, IN PENNSYLVANIA, FEB. 7, 1778.

DEAR SIR,

I have not yet been able to make any discoveries that can justify a suspicion of a plan being formed to injure the reputation of, or remove from office, the gentleman hinted at in your favour of January the 4th; and the alarms that have been spread and jealousies that are excited relative to this matter, appear to be calculated rather to answer mischievous than useful purposes; at least, I fear this will be the consequence. It is essentially necessary to the authority of an officer, that those who are under him should have confidence in his abilities, and pride in his character; and certain it is, that those cannot long exist where they are frequently called in question. How then can we account for such groundless rumours at a time when the character of this worthy officer

grant that with the same degree of experience and under similar advantages, no officers *what-ever* will exceed them in skill and prowess; but can any person suppose that a year or two in the service of the United States will qualify an officer as well as ten or twenty years' service in the armies of Europe? And has not our cause been almost ruined? Does it not at this instant suffer greatly from the want of experienced officers? Under these circumstances then, is it not evident that the honour of an officer, who readily consents to promote the service of his country by giving place to experience, is established, whilst those who oppose this do it at the expense of their reputation?

I know of no promotions of any consequence by congress that have not been made on the purest principles, and a full conviction of merit in the officer appointed; but such are the prejudices of each person in favour of himself, that it rarely happens when he exercises a judgment in his own cause that he can divest himself of partiality in every respect; whence the necessity of decisions in all cases of a legal or public nature by disinterested persons.

Your friend

And humble servant,

E. GERRY.

General Knox.

In a confidential letter to Mr. Gerry, dated at Camp Valley Forge, February 16th, 1778, his colleague Mr. Dana, who is equally implicated as one of the Massachusetts delegation inimical to General Washington, gives not the slightest colour to the suggestion that they had joined in conspiracy to remove him. He does however display the condition of the army with an energy as creditable to his own feelings as it is to the patriotism of that gallant band, and has drawn with a rapid pencil the picture of sufferings, which made every day severer to them than a battle.

MR. DANA TO MR. GERRY.

MOORE HALL, CAMP VALLEY FORGE, FEB. 16, 1778.

MY WORTHY FRIEND,

Your favour of the 8th instant I had the pleasure of receiving on the 13th, and am much obliged to you for the variety of matter it contains. Before I pay a particular attention to it, I will give some account of the state of our army, which demands a most serious consideration. A great proportion of the soldiers are in a very suffering condition for want of necessary clothing, and totally unfit for duty: but even this evil would have been patiently endured had not another, irresistible in its nature, taken place, the want of pro-

visions. Congress will wonder, when we acquaint them, that the army, or any part of it, have wanted bread, since but a short time before we assured them that there was no probability of a deficiency in that article, and that there was a sufficiency already purchased and engaged. We founded this opinion upon the information of colonel Blane. Several brigades complained they had been destitute of flour two, three and four days. We re-examined colonel Blane, who assured us that if such a want took place, it must be owing to neglect in the issuing commissaries or quarter-masters, as flour was deposited in the magazines. An enquiry was instituted at head quarters, the result of which was a general blame ; but such is the dependence of the army, even upon some scoundrels, that they dare not proceed to punish the most negligent at present, lest the sufferings of the army, instead of being relieved, should be increased. I yesterday mounted my horse and rode into camp and passed through several brigades, some of which were said to have been destitute of flour several days, enquiring separately of all the officers I knew, of different ranks, and am satisfied that by comparing their accounts I learnt the real state of these brigades : indeed the accounts were not very different. For flour they had not suffered ; but upon an average every regiment had been destitute of fish or flesh four days. On Saturday evening they received, some three-fourths and others

one half pound of salted pork a man,—not one day's allowance: nor have they assurance of regular supplies in future. We do not see from whence the supplies of meat are to come. The want of it will infallibly bring on a mutiny in the army. Sunday morning colonel Brewer's regiment rose in a body and proceeded to general Patterson's quarters, in whose brigade they are, laid before him their complaints, and threatened to quit the army. By a prudent conduct he quieted them, but was under a necessity of permitting them to go out of camp to purchase meat as far as their money would answer, and to give their certificates for the other, and he would pay for it. The same spirit was rising in other regiments, but has been happily suppressed for the present by the prudence of some of their officers. But no prudence or management, without meat, can satisfy the hungry man. In plain terms, 'tis probable this army will disperse if the commissary department is so damnably managed. Good God! how absurd to attempt an expedition into Canada, when you cannot feed this reduced army! All the meat you have in magazines or can purchase in any part and transport here, will not be more than sufficient to satisfy the daily wants of this army for months to come. This consideration induces me to set my face against that expedition, which I think I foresee will be extending from time to time, till it becomes a great object.

I lament it was not confined to its original limits. Is it yet too late to reduce it? The passes on the North river must be secured, or without question this and the neighbouring states of Jersey, Delaware and Maryland must be evacuated by our army. They cannot be fed with meat but from beyond that river. But more on this subject when I have the pleasure of meeting you.

Your's,

F. DANA.

CHAPTER XVII.

*Articles of Confederation.....Re-elected a member of Congress.....
 Duties of the Committee of the Treasury.....Other Committees of
 Congress.....Letters of General Warren.....Mr. Otis.....Mr.
 Phillips.....General Lincoln.....Letters of the Tories.*

THE year 1777 was distinguished in congress by the adoption of articles of confederation and perpetual union between the thirteen states.

From the first assembling of a congress the importance and necessity not only of a strict union and confederacy between the states, but certain fixed and permanent rules for government and intercourse had been apparent, and Dr. Franklin in July 1775, reported a sketch of articles of confederation which were discussed, and formed the leading features of those afterwards adopted. In June 1776, a committee of one member from each state was appointed to digest the form of a confederation to be entered into between the colonies. In August following a new draught was submitted to the consideration of congress, and on the 15th November after various amendments the confederation was adopted by congress and referred for ratification to the legislatures of the states.

During the discussion of these articles which

form the ground-work of our present constitution, Mr. Gerry was present and contributed very much to their final adoption. Many of the same great questions, which at a subsequent period gave rise to such variety and earnestness of opinion, were introduced and debated through the whole period that the confederation was before congress. The great doctrine of state rights—the equality of the states—their representation, obligation and duties—the power and ratio of taxation or of contribution to the expenses of war and government, with other topics of minor interest, were the subjects of constant argument and debate.

The course of deliberation was conducted with profound secrecy, and no record now remains of that wisdom and intelligence, of that capacious and accurate view of political science and ethical philosophy, which a discussion of the principles of government must have drawn forth from the accomplished civilians who were members of the congress of 1777.

We have the authority of a venerable member of that august assembly for declaring that Mr. Gerry mingled in these debates and devoted to the important subject a thorough and close application. His vote is recorded in the printed journals on every question that was taken in form, and there can be traced in this incipient effort to establish a national constitution, somewhat of that course of thought and those views of government, which on

a greater occasion in a subsequent period of his life he had the manliness to defend.

The commission to the Massachusetts delegates was renewed on 12th December 1777, for the ensuing year, and John Hancock, Samuel Adams, John Adams, Robert Treat Paine, Elbridge Gerry, Francis Dana and James Lovell or any three of them were authorized and instructed with other delegates from the American states to prosecute with vigour "the present just and necessary war, concluding peace, contracting alliances, regulating commerce and guarding against the encroachment and machinations of the enemies of the United States."

Congress had at the period now under consideration immense duties to perform. The entire control of affairs executive and legislative, foreign and domestic, civil and military, devolved on an assembly which often counted less than thirty individuals in their seats; frequently important questions were decided by the ayes and noes of two-thirds that number.

Most fatiguing labour devolved on all the regular committees, with very little assistance from clerks, by whose aid in modern times the detail of duty is pleasantly diminished.

The committee of the treasury, of which from his first entrance into congress until the organization of a treasury board in 1780 Mr. Gerry was a member, and for most of that period chairman,

had an herculean task. More than one-half the time of congress was devoted to their department.

It appears by the journals that in eighteen months ending in July 1778, in addition to the standing duties of this committee, one hundred and sixty-eight different subjects were specially referred to them, and that they made during the same time two hundred and sixteen reports. But the number and variety of private applications to the chairman of that committee were almost innumerable. It would seem from the files of Mr. Gerry's papers, that every person in every part of the continent, who had any business with congress, felt at liberty to address him, and that nobody wrote him without the civility of a reply.

In addition to the constant assiduity which such a state of things required, almost every day brought with it some particular subject for a special committee, of which, by the journals of the house, it appears that more than a proportional share devolved on Mr. Gerry.

It was this useful, patient, untired attention, this devotion to the practical detail of affairs, which entitled the members of that session to the applause of their country. A splendid speech draws upon the orator the admiration, which rewards the labour that produced it. Pride has its satisfaction, ambition is gratified, and the glory of the effort generates a new attempt for similar success; but the business of the committee room, by far the

most useful toil of a legislator, has all its honour in the self-satisfaction it produces. It has no audience to excite its activity, no applause to cheer the solitude of its labours, and no fame as a compensation for fatigue. The congress of 1777 was a field for no personal display, but it demanded the exertion of the highest intellectual powers and the most fatiguing employment of physical strength. The members of that congress devoted themselves to its multifarious duties, feeling that they held in their control the destinies of a great people, with a consciousness that they were conducting them in the eye of Heaven, but scarcely with the expectation that posterity would appreciate the sincerity of their zeal.

From the mass of correspondence which by the habits of that period was carried on with the members of congress, the following letters enable us to catch a view of some of their affairs, and give the private opinions of distinguished men on some interesting concerns.

GENERAL WARREN TO MR. GERRY.

BOSTON, JAN. 15, 1777.

MY DEAR SIR,

When I last wrote to you I had no expectation that my next must be directed to you at Baltimore. I shall not enquire how or for what rea-

sons you are there, but implicitly suppose that every motion of body or mind made by congress is prudent and right. I hope however that you are not so far removed from the seat of war and din of arms, that the timid and the wishers for a reconciliation with Britain can forget the late progress and wanton and cruel devastation of the British troops. If it should rouse them and put an end to their fears and wishes, it will be happy for us. The troops at Rhode-Island have remained till this week very quiet, and nothing of consequence had taken place there, till last night we heard they had burnt Newport and were supposed to be going off. I hope next spring we shall be able to open and support a campaign with advantage. I have favourable prospects of the raising our quota of men; very considerable numbers enlist. I believe they will fill up our battalions in that way, but if it is like to fail we shall levy them on the towns. Great quantities of clothing have been procured here, not less I presume than a sufficiency for eight or ten battalions, which is chiefly sent forward; more will yet be collected, though the principal channel of our supplies is in some measure stopped. An embargo now here has stopped many privateers. The price of every thing is extravagant, and the extortion of sellers unbounded; to check it we are now forming a bill to fix the prices of provisions, merchandise, labour, &c. Whether it be practicable to carry such

an act into execution or not, time must discover. If it can be done it may serve us ; if we attempt and fail it will certainly do more hurt than good, by increasing the evil, and at the same time bringing our authority into contempt. No new form of government is yet adopted. Every body seems to wish for it, and a number of us are incessantly moving and pressing for it ; what hinders I don't know, except downright laziness. A few prizes are dropping in, but not in such numbers as heretofore. The general apprehensions are that the enemy intended to make an attack here next spring, and when powerfully reinforced would enter by the way of Rhode-Island. Whether this sentiment be right or wrong, it is certainly good policy to encourage and cherish it, that we may be the better provided. I hope we shall be ready for them, and though I should be sorry to see our country the seat of war, I should submit, supposing it for the good of the whole. I think they would not be able to traverse this country as they have York and the Jerseys. However, a French war will put an end to all their traverses here. We are frequently told that you have the offer of French troops. I hope that will be the last resource. Why do we not hear of French men-of-war, when ten sail only might answer all our purposes and all our wishes ? I believe you wonder I have never yet forwarded such a state of facts as you mentioned. I have not been fortu-

nate enough to get Winthrop and Lathrop together. Lathrop has been in an hospital with the small-pox. The matter is completed by myself and Winthrop, and I expect to have it done next week by Lathrop, when I will send it forward by first safe hand. Please to make my regards to my friend Mr. Adams. I will write him as soon and as often as I can.

I am sincerely your friend, &c.

JAMES WARREN.

MR. S. PHILLIPS, JUN.* TO MR. GERRY.

BOSTON, FEB. 22, 1777.

SIR,

Although I may incur an imputation which I would wish to avoid, in offering to take up one moment of a gentleman's time, whose present station must necessarily crowd him with the most important concerns, I will overcome the reluctance arising from this apprehension, if it is only to ask, whether it is not of the utmost consequence to banish from the army every sutler who is trading on his own account? I have been long pained

* Mr. Phillips was distinguished by his fellow-citizens in the honourable stations of speaker of the senate and lieutenant governor of Massachusetts.

by the accounts received of their management, but the experience of the last week impressed me more deeply than ever with the importance of a thorough alteration of matters in that department. The court had a recess this day fortnight to give an opportunity for the members to be at home using their influence in the respective towns to get the several proportions in each, which it was supposed would complete the fifteen battalions allotted to this state. But the difficulty in obtaining them is beyond what I can give any idea of, arising principally from the treatment of the soldiers the last campaign. They do not complain of the fatigues to which they have been exposed, (which we know were very great) but the want of things necessary to make them comfortable in clothing and sustenance. As to the latter, except flour and beef, they could receive little of any thing, not even in sickness more than in health, save what they purchased at the most extravagant prices of the sutler, who would strip the poor soldier of his whole month's wages of forty shillings for what he could have bought at home for 3s. 4d. This is literally fact, and I can prove it! At the same time, says the soldier, I must have suffered, and many more of us when in sickness would have died, had it not have been for the sutler. And 'tis in this way that the scoundrel, who is too lazy to do the duty of a soldier himself, and never was worth 20s. in all his life before,

made 3,000 dollars at Ticonderoga in one summer ! This also I can prove. Nor is the misery introduced into the army all that is chargeable upon this class of people ; for being able to get whatever they please for their goods in camp, they will outbid every body else at home, and in their zeal go far beyond what they have necessity for. One great cause this of the extravagant price, to which every necessary has been advanced among us. Whereas if these were hung (for many of them deserve nothing else, being inveterate Tories in principle, who would delight in nothing more after the advancement of their own interest, than in the ruin of the American army and destruction of their country) these same goods, some of them at least, might be purchased here for one-half the price they have given, and delivered to the soldiers for one-eighth of the sum that has been extorted from them.

The soldier then asks me, when the state makes the addition of a bounty of twenty pounds to the encouragement of congress, and individuals in the several towns add one hundred dollars to all this, (for I don't know of more than two men out of the twelve companies in and about Andover that have been procured under) what security he has, that he shall come home a whit better at the end of the three years than he did at the close of the last year, without a garment to his back or a farthing in his pocket ? I tell him of the provision this state

has made to supply their own soldiers with things comfortable at the first cost, and charge of transportation ; and was it not for this, we could not get a man. But every day opens new difficulties in the prosecution of such a plan for a single state. Many of these would vanish was the measure adopted by the continent.

And for various reasons, which strike me forcibly, I conceive it of the last consequence that it be entered on instantly with the utmost vigour, so far at least as to be securing the articles ; for the villains who found such plunder last year, are indefatigable in purchasing every thing, they don't care at what price ; are thereby oversetting the regulating act, introducing the utmost confusion, and putting it out of the power of those, who may want to purchase for the public, to execute their commissions. If such a measure should be adopted by the congress, the success would depend upon the activity, integrity and perseverance of the person employed. If it would not savour too much of vanity, I would beg leave just to remind you of captain George Williams of Salem ; he has shown himself at court this year, and done us eminent service.

I could wish to write much more, but have already trespassed on your patience, and have time only to ask, if it would not be prudence to secure all the cotton wool in New-England that is not already disposed of, to be worked up with the

flax, of which enough may be raised among us, for the use of the army?

I am, sir, with much respect,

Your most obedient servant,

SAMUEL PHILLIPS, JUN.

GENERAL LINCOLN TO MR. GERRY.

BOUND BROOK, MARCH 14, 1777.

DEAR SIR,

Before you receive this the congress will have the state of our small army, who are now encircling the British troops; and information, that notwithstanding general Washington is filled with the most painful apprehensions from a consideration of the weakness of his several posts, and the ill consequences that would attend their loss, the Massachusetts militia are leaving the camp. I hope this will not be considered as arising from a want of spirit and zeal, either in officers or men. I presume it will not be, when it is known and considered that Massachusetts has now in service of their militia near six thousand; that the state has passed a law to fill up their proportion of the continental army by a draught on the inhabitants, which is now carrying into execution; that a great proportion of the militia in service are farmers and men of property; that they have served the longest

time for which they engaged ; that the spring will be considerably advanced before they can reach their homes, some having more than four hundred miles to march ; that if the husbandman loses the benefit of the spring, he in a great degree will lose the advantages of the summer also, which will not only involve many families in distress and want, but be very injurious to the public ; for it is evident to every observer, that great attention must be paid to our husbandry as well as our arms ; for notwithstanding we have a country capable of producing all kinds of necessary provisions in great plenty, yet from the large number of men taken from the field into the continental army and marine service, the frequent calls for militia, the waste and destruction spread in the states of New-York and the Jerseys, and from a queer sort of despair in some, arising from a belief that the game is up, as they express it, and therefore nothing is to be done but what mere necessity requires. And from many other causes, I am apprehensive unless husbandry is attended to we shall soon feel the ill consequences of it, not only with regard to supplies of provisions, but also with regard to the article of clothing. Therefore the increase of our sheep and the culture of flax, are objects which I think demand the public attention ; for admitting that all the ports in Europe were now open to us, what have we to give in exchange for the articles usually imported ? That surplusage of men who

were employed in the cod and whale fishery, manufacturing of iron, potash, naval stores, &c. &c. &c. are now either in the land or sea service of the states. Had we a full supply of wool and flax, which we might easily obtain in all parts of the United States, we could, at this time, carry on the woollen and linen manufacture more successfully than we ever before had it in our power to do ; for it may be easily demonstrated, that by the loss of men already in the present war, and by the absence of so many from their homes, who in all probability would otherwise have married, we have a number of unmarried women sufficient by common industry to manufacture clothing for the whole army together with their own, who in all probability had the states remained in peace would have been married, and instead of manufacturing clothing for the army, would have been employed in that necessary and honourable business of bearing and nursing children. Besides, if we raise our own flax and wool, which may be done with few hands compared to what it would take to prosecute trade, and have it so manufactured among ourselves, we make a great saving of men. Moreover, was there a full supply of those articles, all the clothing necessary for the states would be easily made and the people quieted ; for instead of finding any inconveniences from the high price of goods, they would reflect with great satisfaction that necessity had taught them to live. I

don't mean to discountenance trade, 'tis said to be the wealth of a people; I only wish we may not by our own neglect be reduced to the necessity of prosecuting it in violation of that known principle of good policy in trade, of preserving the balance of it in our own hands.

I therefore most ardently wish the congress would take up the matter so far at least as to recommend to the several states, by bounty or otherwise, to encourage the raising of flax and increasing their stocks of sheep; for although many individuals assent to the utility of the measure, yet too few attempt to carry it into execution further than as it relates to their own private consumption.

Please to present my best regards to our members of congress. And believe me to be with great truth and sincerity your's affectionately,

B. LINCOLN.

MR. S. A. OTIS* TO MR. GERRY.

BOSTON, MARCH 17, 1777.

DEAR SIR,

I should not presume to address you, "overplied by public energies" as you must necessarily be,

* This gentleman was successively member of Massachusetts board of war, speaker of the house of representatives of Massachusetts, and secretary of the senate of the United States from the adoption of the constitution till his death.

but from experience of your friendship, and that I hear frequent complaints of want of information and intelligence from hence.

Nothing has lately occasioned more speculation than the doings of the New-England convention; and I venture to assure you, so agreeable were their proceedings to the sentiments of the people, that except those grumbletonians who would censure the police of Heaven if they had any idea of it, the most unreserved approbation was given to it. Both houses of assembly almost unanimously adopted their measures. They produced the regulating bill, the treason act, the bill against crimes less than treason, the embargo upon our navigation, and inland restrictions of a similar nature; and another determination, which the convention came into, is abetted by our utmost exertions.

The people are much more compliant with the price or regulating bill than was expected with an act, which but from the necessities of the times would be resented, as doing violence to liberty and property. The merchants, the most aggrieved, only reason against the most exceptionable clauses. Instead of clamouring, all are sensible the act passed with the design of encouraging the enlistment; all are possessed of the necessity of every effort to that purpose, and I hope the apportionment of the fifteen battalions lately made upon the several towns, a return of which we are

to have by the 5th March, together with enlistments daily making, will in tolerable season effect that noble purpose.

A merchant and a statesman as well as a patriot, will you forgive my asking your opinion of the embargo? It appears beyond contradiction, we have carried on the war in great measure at our enemy's expense, by means of our privateers. But a land army must be had; I feel it must. Is there no superiour genius who can devise ways and means at once to raise an army, push our naval affairs spiritedly and revive our dying commerce, upon which, in a great measure, must depend the payment of armies, the manning our fleets and the cultivation of our country?

I have neither permission from you or time to add any thing further, and presenting my compliments to the gentlemen from the northward,

I am respectfully,

Your obliged friend and humble servant,

SAMUEL A. OTIS.

Hon. Mr. Gerry.

MR. OTIS TO MR. GERRY.

Boston, Nov. 22, 1777.

SIR,

The consideration of our public affairs being in so glorious a situation fills my soul with thanks to

him who overturns empires, pulling down one and setting up another :—and indeed the capture of a royal, brave and well appointed army, the repulsing and baffling of another, considering all circumstances, is little short of miraculous.

When the tribute of gratitude is paid to the great first cause, what honour is due to the brave, the great actors in this grand scene ! I congratulate you, my honoured friend, in acting so conspicuous a part in it. May the rewards of virtue be your consolation through the struggle ; may wealth and honour crown your old age !

My compliments to the honourable delegates of our state.

The honourable Mr. Hancock arrived here on Wednesday, though by his appearance far from being in the situation of general Burgoyne when he advanced upon us, “in the full power of health.”

There is great expectation of a new form of government in our state. I hope it will be a good one, and an executive power will be lodged somewhere ; at present if there is any, you would be puzzled to find it : hence the chariot wheels drag so slowly.

I hear we have got the secret expedition to pay for amongst ourselves, which is unfair and unequal, though it was conducted in a wretched manner.

The taxation so rapidly coming in fashion here will make our people look about them ; I am apprehensive of the operation.

Mr. Meuse has forwarded his directions without a draught, or any ways and means to collect the needful, though he intimates the doing it soon. A man who goes to market without money, poor as it is, will come home very hungry.

I know not what ways and means in general are proposed ; another continental emission don't fall in with my system, and negotiating loan certificates approximates to emission.

The board of war desire respectfully to be remembered to you and the other delegates.

And I am respectfully,

Your friend and most humble servant,

SAMUEL A. OTIS.

From the extract of another letter it may be seen what one of Mr. Gerry's correspondents in Europe required. "I expect from you," he writes, "wherever I am, your opinion of the number and state of our army, the state of the finances, the temper of the people, the military operations, the condition or prospect of the harvests, the price of bills of exchange, and the rate between silver and paper ; the growth and decline of the navy, the number of prizes, the number, position, exertions and designs of the enemy. Nothing which you will write can come amiss."

These topics, upon all which in a more recent

war the public journals furnished most minute information to friends and enemies, were in those days slowly and often from the necessity of the case imperfectly discussed in the private epistolary correspondence of men engaged in the civil or military scenes of the time.

While thus far the narration of facts or the opinions that were formed of them have been drawn from the distinguished and eminent among the friends of the country, it may be well enough to turn for a moment to the letters of the tories, who had sought shelter from the clouds of revolution, and were preparing to enjoy the sunshine of royal favour.*

HARRISON GRAY.

BROMPTON, MARCH 1, 1777.

DEAR BROTHER,

Your's of the 2d August I did not receive until 20th last month. I congratulate you and Mrs.

* These letters are not addressed to Mr. Gerry, but they came into the hands of the author carefully preserved among his papers, and must either have been sent to him as intercepted letters or in some other way been delivered to his care. From the place of their deposit and the endorsement upon them, it is evident he considered them as important memoranda. It is a little remarkable that at that early period the most eminent of these worthies expresses something like regret for having left the United States, and the other advises his son that it is best for him to remain there,

Gray upon her recovery from the small-pox. You need not give yourself any concern about the cordage which was destroyed. You may depend upon it you will be fully paid when the government is ascertained of the fact. Admiral Montague will write to his son, who is now in the country, relative to the affair, and will direct me what steps to take. [Here follows some other details of business.] I should be glad to hear from you as soon as possible ; am sorry that you are in such low spirits, but am confident that the glorious period is hastening, when you will be emancipated from the tyrannical, arbitrary, congressional government under which you have, for some time groaned. A government for cruelty and ferocity not to be equalled by any but that in the lower regions, where the prince of darkness is president, and has in his safe custody a number of ancient rebels, who are reserved in chains of darkness to the judgment of the great day ! Present my love and affection to my two sisters and their respective consorts, not forgetting Mrs. Hughes, the widow Gray and Mrs. Thayer, also Mrs. Gray, my sister and niece. I add no more, save that I wish you happiness here and hereafter. Believe me to be with the greatest sincerity, your affectionate brother,

HARRISON GRAY.

P. S.—My love to my son Jack ; be so good for

my sake to advise him, and be kind to him. He has a great inclination to come here, but for the present I think he had much better continue where he is, if his person can be protected from the insults of those whose tender mercies are cruelties.

JONATHAN SEWALL.

LONDON, MARCH 14, 1777.

DEAR JOHNNY,

Don't be frightened at seeing a letter from an old tory friend, lest it should come under the inspection of your high and mighty committees, as I suppose will be the case in your *free* and independent state. I hereby declare I have never received a line from you since I left Cambridge, August 31, 1774, excepting one while I was at Boston relative to two gowns which Molly H. stole from my wife, of which I desired you to make enquiry, and this is the first scrip I have attempted to you since the said date, so that you can't be charged with holding a correspondence with me. Thus much to prevent any mistakes which might expose you to the perils of tarring and feathering, Simsbury mines, a gaol or a gallows. I presume it can give no offence to committees, congresses, parsons or generals, that I embrace a favourable, or rather a *possible* opportunity of *advising* you that I am yet in the land of the living, though very probably they

may all be offended at the fact ; but to ease their gall-bladders a little, I assure you and them, I hope in God I shall not live to see the day when America shall become independent of Great Britain. I suppose by this time you have entered so thoroughly into their mad scheme, that it will afford you no pleasure to hear your quondam friends on this side the Atlantic are well. However, I will mortify you by assuring you they are all in good health and spirits, and government has liberally supplied the wants of all the tory refugees who needed its assistance ; and none here entertain the penumbra of a doubt how the game will end. No more does pious, frank, single-eyed, conscientious Dr. Elliot, you will say. Aye, I have seen his letters and compared them with two or three conversations he had with me between Charlestown Ferry and the college, not long before my flight. Well, duplicity may be justified on some principles for aught I know ; but I don't like it. I wish much to know how judge Lee holds his health and spirits. Apropos. If you have plenty of paper money, and it will answer his purpose, I wish you would pay him £30 L.M. with interest from September 1774, on my account, and present him and his lady my best wishes. I should like to take one peep at my house, but I suppose I should not know it again. *Sic transit gloria mundi.* I shan't break my heart about it. Every dog they say has his day, and I

doubt not I shall have mine. Ah, my old friend, could you form a just idea of the immense wealth and power of the British nation, you would tremble at the foolish audacity of your pigmy states. Another summer will bring you all over to my opinion. I feel for the miseries hastening on my countrymen, but they must thank their own folly. God bless and carry you safe through.

Your's,

JONATHAN W. SEWALL.

John Foxcroft, Esq.

GOVERNOUR HUTCHINSON.

LITTLE CHELSEA, AUG. 5, 1777.

DEAR KINSMAN,

I thank you for your letter and the information given me of the state of several of my friends. I had heard by way of Halifax of the death of Sally Rogers, but did not know she had left a will. I think Mrs. Merchant the properest person to take the administration in the absence of the executor.

My family here is in great distress. My daughter Peggy, ever since February, has been wasting in a consumption, and is now approaching to, if not in the last stage. I have been with her in different parts of the country ever since the 2d of March, except five or six days that I spent with her in London, and my attention has been so taken

up with one object, that I have scarce thought of other less troubles ; but all my endeavours have been to no purpose. This is the will of that infinitely wise being, who gave me so desirable a child, and I am sure what he does is right.

I think you did very right in remaining in the country and not removing with the troops. I would have done the same, if I had not thought that I was obliged, from the character in which the king considered me, to go to England, notwithstanding a temporary successor was appointed to my government.

I wish it may be in my power to convince my countrymen of one truth, (which I feel the force of to my own great comfort every day) that I never, in my public character, took any one step in which I did not mean to serve their true interest, and to preserve to them every liberty consistent with it, or with their connexion with the kingdom. Whether they or I mistook their true interest, time will discover.

If I ever recover from my present distressed state of mind, I will write to you again, and make more particular mention of my relations and friends, but can only now desire to be affectionately remembered by all of them.

I am, dear sir, your affectionate kinsman,

THOMAS HUTCHINSON.

Mr. Edward Hutchinson.

CHAPTER XVIII.

*Members of Congress constantly employed.....Further Letters.....
Supposed hostility to Massachusetts on the part of some of the
Leaders of the Revolution.....Massachusetts defended.....Dis-
sentions in the Delegation.*

THE business, which devolved on the members of congress, continued to increase in its burthens with the progress of the war. They had not only to provide for the future, but to revise the past. Every thing relating to the military or financial department had extended and increased. The foreign relations of the country assumed a more interesting character, and the honour of a seat among the illustrious leaders of the people was severely paid for by the labour it exacted.

Under date of 14th January 1778, Mr. Gerry, writing to a friend in Massachusetts, says, "Mr. Dana has been ordered by congress on a committee to camp. He will probably be absent a month. I am alone of our delegation, and the state will lose its vote. It will be very injurious to the interests of the government to be in this situation, as will often be the case while the presence of three delegates is required to give a vote.* I am

* The state of Massachusetts gave the right of a vote for the state to three delegates. For the state's vote to be counted on

worn down with fatigue, and have been waiting with some impatience to return to Massachusetts; but I have wished to see certain measures accomplished before I left congress; when those were finished, others presented themselves equally important and I waited for them, and so on; but this mode of travelling will never get me home. I must therefore determine at all events to leave this place in the spring."

But the spring came and the summer followed, and still found him at his post. On the 24th April he says, "I wish to see a return of some of my colleagues, in order to obtain such relaxation from business as at length has become indispensably necessary for preserving my health. Two years' constant attention to the business of congress and the board of treasury, the members of which have ever been unequal in number to the duties required, with opportunity for very little exercise, is rather hazardous to the constitution, and I feel the effects of it."

Writing to the same gentleman on 26th May, he says, "I had hoped before this to have set off

a division, three delegates must have been present, although a major part of that number voting would cast the vote. Seldom more than three or four of its delegates attended at the seat of government, and the various duties of the members rendered the constant presence of three in the hall a very painful inconvenience. Some states intrusted the power to two, others to a single member. On Mr. G.'s communicating these facts to the Massachusetts legislature, the rule was amended and the power given to add two.

for Massachusetts, but have not been able to break away from the incessant labours which occupy me day and night."

"I congratulate you on the late events in Europe. What a miraculous change in the political world! The ministry of England advocates for despotism, and endeavouring to enslave those who might have remained loyal subjects of the king. The government of France an advocate for liberty, espousing the cause of protestants and risking a war to secure their independence. The king of England considered by every whig in the nation as a tyrant, and the king of France applauded by every whig in America as the protector of the rights of man! The king of Great Britain aiding the advancement of popery, and the king of France endeavouring to free his people from ecclesiastical power! Britain at war with America, France in alliance with her! These, my friend, are astonishing changes. Perhaps one principle, self interest, may account for all."

"Our friend Mr. Adams arrived here last week, and is pleased with the appearance of things. The currency is getting better, and I hope I may get away."

The hope was fallacious. Public measures rose in interest as clouds gathered in the political sky. The danger from abroad was not powerful enough to preserve tranquillity at home, and dissensions divided those who were engaged in the common

cause of the country. Parties had arisen on the conduct of the American ministers on foreign service, and jealousies were excited concerning domestic affairs. The latter were exceedingly galling to Mr. Gerry, because it displayed itself in a desire to undervalue the exertions, the services, the sacrifices and the patriotism of New-England.

"There are some persons," he says in a letter to a member of the assembly of Massachusetts, "of weight and influence in this (Pennsylvania) and some other states, who have discovered a disposition on all occasions to traduce the eastern states, and to represent the officers and soldiers there as deficient in discipline and valour. In every action where their own troops are concerned, they are held forth in the public prints and public speeches in such high terms of approbation, that a person not knowing the contrary would consider them the sole props of American independence. The assemblies, I think, are not chargeable with this, but the frequent publication of such private letters will have the effect of gathering upon some particular corps all the reputation, which is the common property of the whole army; at any rate, it will excite jealousy and retaliation, and injure the general cause.

It is much to be regretted that such local attachments take place, and that Americans can conceive that honour may be really obtained not by actual merit, but by clandestine means; but since this is the case, there is due to our country

and its brave defenders so much justice as to send down to posterity a true relation of their conduct. Let their feats and their misfortunes be narrated together. They have as many of the first to boast of as any in the union, and as few of the latter which have been attended with disgrace.

Let the assembly take this in hand. If the praise due to our hardy and brave men is attributed to others, they may lose in time that spirit of gallantry, of the reward of which they are defrauded, and begin to think they are what they have been called, inferiour and pusillanimous.

I am afraid there is some system to depreciate them, which must be met by a care to publish the truth. If they are robbed of their just fame, what in God's name have they to fight for? As to silver and gold, our country is like the apostle, we have none to give; but what we have, let us give unto them; just praise for valour, courage and discipline.”*

It was unfortunate that while this illiberal spirit existed towards the Massachusetts forces, there was not perfect harmony among the delegates of the state. The arts of popularity, it was supposed, were too ostentatiously resorted to by one of

* A member from Pennsylvania boasted that he represented the heart of the union. We admit it, said a New-England member in conversation with him, and we know from the bible that “the heart is deceitful above all things, and desperately wicked.”

them, who might well have trusted to his merit for his fame.*

“Did Brutus,” said a gentleman in a letter to Mr. Gerry, “in the infancy of the commonwealth, and before the army of the Tarquins was subdued, acquire fame and popularity by largesses? No! These arts were reserved for Cæsar, in the last expiring moments of the republic.”

“I am sorry,” said Mr. Gerry in reply, “that any one thinks the condition of the country will not present a sufficient harvest of honour and reputation. It may be better earned than plundered; and though there are some arts of acquisition of doubtful propriety, that which adds to our own store by taking from our friends or those who would wish to be such, challenges the same epithet in every vocabulary.”

A letter from Mr. John Adams to Mr. Gerry at this time has the following sentences:—“You said something to me in one of your letters, which I did not understand, that you had not approved the policy of some, and therefore did not expect their confidence. I don’t know whose confidence is meant here. It will be a long time before you

* When Mr. Hancock left the chair of congress he took leave in an appropriate speech. A motion was made to present him the thanks of congress for his correct conduct as president. A previous motion was substituted, that it would be improper to thank any president. This was overruled and the original resolution adopted, but the whole Massachusetts delegation voted in the minority.

lose mine. You must depart from those fair, virtuous, honourable, benevolent and public-spirited principles, or you must lose that sagacity and judgment which I ever found in you, before my confidence will be lost or diminished."

"What your conduct has been in congress since I parted with you I know not, but some of your votes that I have seen were more consistent with truth, justice and sound policy than others that I see on the same page. Pray let me know a little of these things, and believe me with unabated affection to be your friend."

CHAPTER XIX.

Letter from John Adams.....New measures of Hostility threatened by the Enemy.....Commission for Peace.....Mr. Gerry's resolutions on the Fishery.....His Speech.

AVOIDING as far as he might the interruptions, which jealousies and rivalry occasioned, Mr. Gerry devoted himself to the business of his station.

"I have not had time," he said in a letter dated September 1778 to general Warren, "to acknowledge your several favours. The pleasure of corresponding with my most esteemed friends I have been lately obliged to sacrifice with other enjoyments, but I hope to possess their friendship, while silence is the effect not of choice but necessity."

MR. JOHN ADAMS TO MR. GERRY.

PASSY, Nov. 27, 1778.

MY DEAR SIR,

I have not received a line nor heard a syllable from you since my arrival; but I know your incessant application to things of the first moment, and therefore presume you have good reasons.

Our enemies are still in a delirium, and are

pleasing themselves with hopes that Clinton will be more bloody than How. Nothing is so charming to their imaginations as blood and fire. What a heart must this people have!

The two Howes are in a sort of disgrace, and now Clinton is to do wonders. The Howes have returned, without laurels, with malicious tempers, bloody hands, and the pleasing reflection that their names are hereafter to be recollected by all virtuous and humane men with those of Alva and Grizler.

I think there should be a club formed in London of all the sages and heroes that have returned from America. Bernard, Hutchinson and Train, Gage, How, Howe, &c. &c. &c. and to be sure Burgoyne! What a respectable society it would be. How entertaining to hear them in turn recounting their memorable deeds of fraud and violence in America, and their glorious triumphant success.

You will see by the papers, which I shall send by this opportunity, that there is great animosity in Holland against England. Sir J—, it is said, flatters the prince with hopes of marrying his daughter to the prince of Wales, and the prospect of having a daughter queen of England is too tempting for a prince to resist. Yet he cannot do great things; and there is a spirit rising in the Low Countries, which will give England trouble. The situation of that republic is so defenceless,

and they consider England in such a state of desperation, ready to do any mad thing, that I don't expect they will very soon take any decisive part in our favour; but the determination not to take any part against us is decisive. They wish America independent; it is their interest. They wish to see England humbled. She is too overbearing; yet they are afraid to provoke England by any open engagement against her. They have discovered a manifest solicitude least America should in a treaty with Great Britain agree to exclude the Dutch from some part of their trade; and they have reason for this suspicion.

It is a delicate thing to negotiate with this people, but we have constant intelligence from them, and shall watch every favourable opportunity. Their purses, their sailors and ships have been employed against us from the beginning, and England could not possibly do without them. I cannot, therefore, but wish that something may turn up to awaken the old Batavian spirit.

I am as ever your friend,

JOHN ADAMS.

Mr. Gerry.

Some of the expectations of the letter-writer were nearly realized. His Britannic majesty's commissioners on the third of the preceding month had issued a manifesto, in which they announced that

the policy as well as benevolence of Great Britain had thus far checked those excesses which tended to desolate the country, but that there was a design now to change the nature and conduct of the war. On the pretence, idle as it was, that the United States, lost to England, might become an accession to France, it was now declared to be the intention of the enemy to pour out the phials of his wrath, and by new means of vengeance to render the connexion useless to his European rival.

“If it be a change for the worse,” said an eloquent state paper of the day, “it must be horrible indeed. Wherever their armies had marched, there was ruin. The towns of Charlestown, Falmouth, Norfolk, Kingston, Egg Harbour and the German Flats, besides many single buildings and clusters of houses had been given to the flames. Boston and Philadelphia had been spared indeed, partly in deference to the opinion of Europe, and more because the destruction would be severely felt by their friends. They have not hitherto murdered on the spot every woman and child that fell in their way, nor have they in all cases refused quarter to soldiers, though they have in many; but they have seduced Indians and negroes to commit inhuman butcheries upon the inhabitants, sparing neither age, sex nor character. They have thrust their prisoners into such dungeons, loaded them with such irons, and exposed them to such lingering torments of cold, hunger and disease, as

have destroyed greater numbers than they could have had opportunity openly to put to death, if they had preferred to indulge in general slaughter. Many others they have compelled to serve and fight on board their ships against fathers, brothers, friends and countrymen, a destiny to every sensible mind more terrible than death itself.

“It is therefore difficult to understand what they mean by a change in the conduct of the war; yet there seems to be no room to doubt that they mean to threaten something more cruel, greater extremes of war, measures that shall distress the people more than any thing they have yet done.

“The object of the war is now entirely changed. Heretofore their massacres and conflagrations were to divide the inhabitants and reclaim them to Great Britain. Now despairing of that end, and perceiving that the Americans would be faithful to their treaties, their design is to destroy the country, to make it useless to France.

“This principle ought to be held in abhorrence, not only by all christians but by all civilized nations. If it be once admitted that powers at war have a right to do whatever will weaken or terrify the enemy, it is not easy to foresee where it will end. It would be possible to burn the great capitals of Europe.”

Such was the picture of the war, drawn by the great masters who had opportunity to sketch it on the spot; and it is well now to remember it,

not for the purpose of cherishing resentment or revenge against former foes, but for admiring the steadiness of purpose, which induced the patriots of that age to persevere amid such opposition in maintaining the independence they had declared, and to show to posterity the gratitude due to these intrepid assertors of their rights.

In the front of the dangers which beset them, congress solemnly declared, "that if our enemies presume to execute their threats or persist in their present career of barbarity, we will take such exemplary vengeance as shall deter others from a like conduct. We appeal to that God, who searcheth the hearts of men, for the rectitude of our intentions, and in his holy presence declare, that as we are not moved by any light or hasty suggestions of anger or revenge, so through every possible change of fortune we will adhere to this our determination."

The spring of 1779 opened with attempts by congress to arrange a commission for negotiating peace. The propositions of the English commissioners, which had produced the manifesto of congress, above referred to, in reply to the commissioners' proclamation, had been indignantly rejected. Their insidious attempts to bribe some of the leading men of congress had excited universal execration, and every man responded to the elevated sentiment of Mr. Read, that he was too insignificant to be bribed, but such as he was, the

king of England had not wealth enough to purchase him.

But peace was too desirable an object not to be pursued by all honourable means ; and as the effort was hopeless by means of any power existing on this side the Atlantic, it was determined to make trial in Europe. It was believed that the good fortune of general Gates and the formidable influence of the French alliance would not be without effect. The instructions to the commissioners were long and thoroughly debated. The *sine qua non* of independence admitted not of a momentary doubt, but on other points the different interests of different members of the confederacy could not be concealed nor easily compromised.

In the course of these discussions Mr. Gerry brought forward his propositions for the security of the then great object of New-England enterprise and industry, the fisheries.

He moved congress to come to the following resolutions.

1. That it is essential to the welfare of these United States that the inhabitants thereof, at the expiration of the war, should continue to enjoy the free and undisturbed exercise of their common right to fish on the banks of Newfoundland and the other fishing banks and seas of North America, preserving inviolate the treaties between France and the said states.

2. That an explanatory article be prepared and sent to our minister plenipotentiary at the court of Versailles, to be by him presented to his most christian majesty, whereby the said common right to the fisheries shall be more explicitly guarantied to the inhabitants of these states than it already is by the treaties aforesaid.

3. That in the treaty of peace with Great Britain a stipulation be made on their part not to disturb the inhabitants of these states in the free exercise of their common right to the fisheries aforesaid, and that a reciprocal engagement be made on the part of the United States.

4. That the faith of congress be pledged to the several states, that without their unanimous consent no treaty of commerce shall be formed with Great Britain previous to such stipulation.

5. That if the explanatory article should not be ratified by his most christian majesty, nor the stipulation aforesaid be adopted by Great Britain, the minister conducting the business shall give notice thereof to congress, and not sign any treaty of peace until their pleasure be known.

These resolutions were seconded by Mr. Ellery of Rhode-Island. They were opposed, not only by direct argument, but by all the tactics of legislation, which experience in the art could bring to defeat them.

It was not indeed controverted that the United States had a direct and immense interest in the

business, which these resolutions were intended to preserve, but the necessity, or even policy of so bold a stand in its defence, which might protract a most deleterious state of war, did not appear so imminent to some delegates, whose constituents were less engaged in this hardy enterprise, than to the representative of the fishermen of New-England. It was urged as perfectly unreasonable to expect that a war, begun for independence, should be continued for the humble privilege of catching fish.

Mr. Gerry, who had grown up among the fishermen of Massachusetts, was perfectly familiar with all the details of this business; with its value as a branch of industry, its importance as a nursery of seamen, and its character as a constituent part of the rights of his countrymen; and he pursued the object of his resolutions with constancy and courage. He displayed to congress the importance attached to the right in question, and its connexion with the interests of the southern section of the United States, not less in many respects than theirs by whom the immediate business was pursued.

It is not so much fishing, said he, as enterprise, industry and employment. It is not fish merely, which gentlemen sneer at, it is gold, the produce of that avocation. It is the employment of those who would otherwise be idle, the food of those who would otherwise be hungry, the wealth of those who would otherwise be poor, that depend on your

putting these resolutions into the instructions of your minister.

He denied that it would protract the war. Whenever Great Britain is ready to acknowledge your independence she will be ready to accede to all your other reasonable and fair demands. It is not to be expected that she will incline to diminish your boundaries either on the land or the ocean. Show her that this is your right, you will obtain it of her justice; or prove to her that it is your determination to maintain it, and you will secure it from her policy.

As to our right, Mr. Gerry said, the God of nature gave it to us. He made the sea the common property of all mankind in a more strict sense than he had done the land. Land requires exclusive occupation for government, cultivation or property. But the great world of waters admits of no national appropriation. Where the winds can carry us upon the ocean, there we may sail, and where we sail, there we occupy, and what we occupy we may of right use for the purposes for which occupation is valuable; and it might as well be claimed by any nation to restrain us from navigation as fishery. We ask only the right of casting our hooks into the ocean and owning what we may catch; and to say that this is not the right of an independent people, is to say they have purchased a nominal independence, by affixing to themselves a constant mark of vassalage; for un-

less the right is bargained away by treaty it belongs to us by inheritance.

If it could be supposed that any obstruction to our rights originated in the policy of our ally, it would diminish the affection with which our great friend is now cherished in the hearts of our people. But before France had given us one encouraging word, the people of New-England had poured out their blood like water in defence of their rights; they had been cheered also by their southern friends, but at first they had stood alone; and by God's blessing they would stand alone again without allies or friends, before they would barter away their rights.

If such a surrender could take place, the commerce of New-England will on the return of peace seek British channels. It will be the object of Britain to detach us from all commercial connexion with our ally, and she will find her objects greatly assisted by the temper of our people.

But if we insist on the right, Britain will yield it to us. Her policy will assist us. After a peace she will be desirous of our custom. She will not be likely to crowd the terms of a peace that looks disgraceful to us, and will be felt as oppressive. In making any peace she will have done much for her own humiliation, and she will do a little more for our favour. It will be her policy, when she is no longer our open enemy, to have us believe she is truly our friend; and by the liberality of

her conditions, to obliterate our animosity. Our commerce will be of little value to her unless we enjoy the fisheries, and any commerce with her would without them be ruinous to ourselves. By lessening our means of payment we must either stop the importations of her manufactures, or burthen ourselves with a constantly increasing debt.

In addition to a vast mass of facts relative to the number of seamen, value of property, course of exchange and other details connected with this subject, Mr. Gerry urged in the above language the adoption of his resolutions, and was supported by the whole delegation of New-England. The argument had more novelty at that day, though not less force, than the experience of fifty years has proved it to possess.

In fifteen divisions of the house, on questions by ayes and noes, the majority adhered to the original propositions, and rejected every alteration that was proposed. But they were finally reduced to the following clause. "Although it is of the utmost importance to the peace and commerce of the United States that Canada and Nova Scotia should be ceded, and more particularly that their equal common right to the fisheries should be guaranteed to them, yet a desire of terminating the war has induced us not to make the acquisition of these objects an ultimatum on the present occasion."

The facts which this motion of Mr. Gerry drew forth were not without effect. They were followed by full explanations to one of the ministers, who negotiated the treaty of peace, and by his intelligence, perseverance and firmness, and the efficient aid of one of his colleagues, the common right of the United States to the fisheries was acknowledged and secured.

CHAPTER XX.

*Appointment of a Minister to treat for Peace.....Conflicting
Claims of Candidates.....Letter of John Adams.....Francis
Dana.*

THE instructions to the intended minister being completed, the next step was to make an appointment. There were two parties in congress, one of which nominated Mr. Jay and the other Mr. John Adams, who was then in the United States. At the first and second ballot twelve states were represented. Six voted for Mr. Adams, five for Mr. Jay, the other by division among its delegates counted for neither. Further proceedings were then postponed. On the next day a nomination was opened for a minister to Spain. The party, who had supported Mr. Adams for the former place, were desirous of sending Dr. Arthur Lee to the court of his catholic majesty, and the three gentlemen were severally placed before the house as candidates for this latter appointment.

In conducting the affairs of the United States in Europe, the usual consequences of a joint commission had been painfully experienced, and collision, controversy and reproach had extended from the bureaus of the ministers into the hall of the American government.

The New-England delegation were firmly attached to Mr. Adams, whose conduct had not only met their entire approbation, but could not be censured by the friends of the other ministers, and it was their immovable determination to preserve for him the confidence of the country, which he had eminently deserved. The balloting ended in superseding Mr. Lee, and the appointing first Mr. Jay to Spain by the votes of eight states, and Mr. Adams to negotiate a treaty of peace and commerce with Great Britain by the votes of eleven states. Mr. Jay subsequently received other honours in this connexion, which by his fidelity and talents he had richly deserved.

Colonel Lawrence, nominated by Mr. Gerry, was appointed secretary to the embassy at the court of Versailles, and Mr. Dana secretary to the embassy for peace. In the latter appointment Mr. Gerry was peculiarly gratified, as it gave him an opportunity of indulging the feelings of private friendship in the performance of public duty, towards a college class-mate, an intimate companion, a tried and faithful public servant, and a learned man.*

* The journals of congress call these appointments secretaries to the ministers. They were not so. They were secretaries to the embassy and provisionally chargè d'affaires. The secretaries received one thousand pounds sterling per annum, commencing at the time of their leaving their place of abode, and continuing for three months after receiving notice of their recall.

It may be interesting to know how the minister of peace and the secretary to the embassy addressed their former colleague, who was still toiling in the great council of state.

MR. ADAMS TO MR. GERRY.

FERROL, DEC. 11, 1779.

MY DEAR SIR,

I have escaped the rage of the sea and the vigilance of British men-of-war, and the treachery of a leaky ship, but have got the mountains of Asturias and the Pyrenees to pass, with all the snows. It is a monstrous journey to Paris, at least three hundred and twenty leagues. The roads, taverns, mules and every thing inconvenient, as we are told, and the expense great enough.

This part of the world is filled with rumours as well as your's. They talk much of commotions in Ireland, &c. &c., but I can get nothing certain here. The removal of D'Orvillier occasions much speculation, but Duchaufaud is universally allowed to be an excellent officer.

I can't see a ray of hope of being much employed until after another campaign in negotiations for peace, but I see that some seeds may be advantageously sown wherever I go. There are many mistaken notions concerning our affairs, which

are easily rectified, and much information may be given and received.

Nothing is of more importance than to give the French and Spaniards just ideas of the resources they may draw from the United States, by carrying on the war with vigour in the American seas. They have as yet no adequate conception of the advantages they have of the English in that quarter, in the facility of procuring supplies of materials, artisans and provisions, at a time when the English must draw all from Europe.

It now appears to me very easy to reduce the English in New-York. A superiour fleet, stationed at Rhode-Island or cruising on the coast of America, or plying between the continent and the islands, would cut off their supplies so as to ruin them.

This port of Ferrol is a grand thing. I had no idea of it. The works are astonishing. I find much civility here, and many professions of good will to the states. Some of the Spaniards have not yet got out of their heads the idea of *mauvaise exemple*, but when they are led to consider the difference between their colonies and the English, that there is no probability or possibility of their ever undertaking, as the English did, to subvert the fundamentals of an established government, and the nature of their governments, which can

suppress in an instant the first symptom of discontent, they easily give it up.*

I am in great haste, your's,

JOHN ADAMS.

Hon. Mr. Gerry.

MR. DANA TO MR. GERRY.

PARIS, FEB. 26, 1780.

DEAR SIR,

Here we are, after many toils and perils, both by sea and by land, where I hope we shall for a while find a resting place, of which we have indeed much occasion. The day after our arrival at Paris we went over to Passy to visit the doctor, who the next day went to Versailles with us to pay our respects to the comte Vergennes, monsieur Sartine and comte Maurepas; what has since passed of a public nature, you will be fully informed of by the despatches forwarded to congress. Our mission seems a little to have puzzled comte Vergennes, as will appear by the change of opinion respecting the publication of it. The last determination I believe is much the wisest. Why attempt to make a secret of a matter, which has been published in the Gazettes of every state in the

* Fortunately for mankind and the cause of civil liberty this opinion of the great statesman had not the accuracy of his general predictions.

union? The court of London most assuredly can have no doubt of the nature of the mission. 'Tis best, therefore, perhaps to speak out plain to them. Here we are waiting for the return of your senses, but how long we shall wait for the coming of that period, those who are better acquainted with the stages of their disease may conjecture. Our's is simple, but their's is most complicated, and seems to threaten their whole system with most dangerous convulsions. It must afford matter of curious contemplation to an American who has noted the rise and progress of our revolution, to see the Britons themselves, when suffering under the abuses, insults and oppressions of their own governours or parliament, and endeavouring to seek redress of their multiplied grievances, and to reduce their constitution to its first principles, obliged to adopt the *language* and the *measures* of their former fellow subjects in circumstances not altogether unsimilar. A language and measures which they then branded with the odious names of faction and rebellion, they now proclaim to be peaceable, regular, legal and constitutional. You perceive that I allude to their county meetings, their petitions, but above all to their *committees of correspondence*, (of which you may read much in their papers of this month). These last were engines, which operated with more energy and consistency than any others which were put in motion in the com-

mencement of our opposition ; they may be called the corner stone of our revolution or new empire. Little I believe did our friend, the first mover and inventor of them, expect to see this masterly stroke of policy so soon adopted by the people of England, to effect the redress of their own grievances. What will be the issue of the present apparently serious opposition, a little time will show ; but from the characters who take the lead in it, I conjecture the great body of the people will be made instrumental only of driving out the present administration, and will be but little the better for a change. They want the sage council of our said friend in conducting the affairs of their committees of correspondence to the proper point. Let us wish them success—I mean in arms. A civil war there would give peace to us. On that consideration alone I wish it may take place.

I find by a letter which I received the other day, that you wrote me a little after my departure. The letter is stayed to know your opinion respecting it, whether it shall be sent on or not. I hope you have determined that it must ; in that case I may speedily receive it. I begged your answers to certain questions of much importance to myself and family. I hope you have or will give them particularly. Upon experience I find myself more interested in them than I imagined I should have been. To be open with you, for I know I may safely confide in you, I would say, when I received

notice of my appointment, which was soon followed by your letter pressing my acceptance of it, for reasons which were well grounded, and had great weight upon my mind, the matter that laboured most with me was, whether the salary was sufficient for a decent support for myself in Europe, and would admit of something likewise to be applied for the support of my family; the idea of laying up a sixpence out of it never entered my imagination. I knew I must give up a profitable business, and wished only to come out of my employment as well as I entered into it. I have sunk so great a part of my private fortune by the depreciation of our currency, as hath obliged me to pursue with industry the business of my profession for a subsistence; and this necessity alone compelled me to resign my seat in congress; a place of all others the most agreeable to me. I expected when I left America to be able to remit my family about £200 sterling for its support, and less I am sure will not answer, but I begin to be apprehensive that I shall be disappointed in this expectation; if so, I shall be under an absolute necessity of resigning my appointment and returning home, but as I told you before I left America I will fairly make the experiment before I take that step.*

* It is impossible to read these well-founded complaints of the want of a generous allowance without pain; and the more so, as experience has not yet corrected the cause.

I hope congress continue well united upon all great political questions, and that the arrangement of foreign matters has laid asleep all personal animosities and contentions. However, when expenditures shall be laid before you, look well to them. I am under some apprehension that heats will be again raised among you, upon the arrival of Messrs. Lee and Izard who will shortly sail in the Alliance for America, for they say they have many matters to lay before congress respecting certain foreign transactions. You understand my allusion, and you will not imagine by any thing here said, that I form a judgment between the contending parties. No, I am determined not to meddle in the least degree with their affairs, while here. When in congress it was my duty to do it when they came before us, 'tis now the clear dictate of duty and policy to keep free from them, and 'tis my firm determination to leave all parties behind me. At present we are at peace with all here ; we visit and are visited without distinction, and if this harmony is disturbed I believe it will not be our fault.

I wish your constant labours in the general cause may be crowned with all the success you intend, and you must not suffer any vexations or disappointments you may meet with to abate your zeal and assiduity in the service of our country. I know you have met with many, and I believe you will meet with many more ; but I never yet

saw you give way before them. *Perseverando* seems to be your proper motto. I wish you better health.

And I am,

With the warmest esteem,

Your friend and very humble servant,

FRANCIS DANA.

Hon. Elbridge Gerry.

CHAPTER XXI.

State of the Country in 1779-80.....Correspondence with General Washington.....Commission for establishing Prices.....Letter of Samuel Adams.....of Judge Sullivan.....Rechosen a Delegate in Congress.....General Arnold's Accounts.....Letter concerning him.

WHATEVER might have been the general expectation of peace, intelligent statesmen considered it indispensable to prepare for war. It was their maxim that among nations negotiation is best carried on by displaying the means of offence, and that respect is better obtained from an enemy by possessing the power to enforce it.

There were others, however, who if they did not entertain a different opinion, were yet unwilling to act up to the requirements of policy. They could not bring themselves to make the exertion and sacrifice which the condition of the country required. Every where there was a listlessness and torpor among the people. They had made great and wearisome efforts. Fortune had crowned their arms, and a whole British army were prisoners of war. This had been followed by an alliance with France; and from the exertions of their friends they were willing to hope for advantages, which their own efforts had but par-

tially procured. They were exhausted by the demands, which had been made upon them, and caught with avidity at the hopes of escaping from additional toil. Victory, alliance and negotiation might excuse them, it was supposed, from any fear for the future.

The country was in a condition that rendered any great exertion difficult, if indeed it was practicable. Depreciated currency, diminished agriculture, a cessation of the fisheries and loss of navigation and trade combined to take away the means of aggression. What has since been aptly called "a war of threatenings" fatigued the population by requiring exertions, that in the end added nothing valuable to the common defence, and disheartened those, on whose patriotism as well as personal contribution the country most relied.

The necessity, nevertheless, of a vigorous prosecution of the war was not diminished, and the penalty of a failure was to lose all advantages, which the accumulated sufferings of past years had acquired.

General Washington, impressed with this necessity, had urged congress to prepare for more than a nominal army, and had reiterated his opinions in private communications to the principal members.

MR. GERRY TO GENERAL WASHINGTON.

PHILADELPHIA, JAN. 12, 1780.

DEAR SIR,

The requisitions to the several states for reinforcements to the army proposed in your letter of 18th November, are not yet adopted by congress, and a further application from your excellency appears to me would be useful in promoting that important business. A report has been long since made on the subject and been several times under the consideration of congress, but an opinion has been lately suggested, and I fear with too much effect, that the number of men enlisted for the war is already sufficient, and that reinforcements are not necessary for an army in this quarter.

Should this sentiment prevail or the requisitions be much longer delayed, we shall probably have an inactive campaign if not greater misfortunes, and renew the uneasiness of the court of France, who last year remonstrated in very friendly but expressive terms against the delays of military preparation for that campaign. As the measures of our good ally for the establishment of our independence as well as those of our common enemy against it are prosecuted with vigour, it appears to me that we are urged by every principle of policy, generosity and honour to be equally vigorous and decisive.

I hope the measures taken and such as are under the consideration of congress for obtaining supplies of provision, will effectually relieve the want of the army, which I confess distresses me exceedingly.

I am, sir, with every sentiment of esteem and respect, your most obedient servant,

ELBRIDGE GERRY.

GENERAL WASHINGTON TO MR. GERRY.

HEAD QUARTERS, MORRISTOWN, JAN. 29, 1780.

DEAR SIR,

I received your obliging letter of the 12th. I am sorry to find that congress had not at that time made any requisitions of men from the states, as it appears to me that the army without reinforcements, by the expiration of the enlistment of so many men and of the service of the new levies as they are called, will be much more reduced than will be compatible with our interest and policy. It was in part from the probability, that such an idea as the one you suggest to have obtained with some, might take place, that I was induced to mention in my letter of the 18th of November, the essential difference between an army on paper and its real efficient force, and to illustrate the point by contrasting the column of the present fit for

duty in the return transmitted, with that of the total.

The hopes indulged from the beginning of the contest to the present day from time to time that a peace would soon take place, have been the source at least of great expense, and they may still prove so, and the means of protracting the war.

There is nothing so likely to produce peace as to be well prepared to meet the enemy; and from this persuasion and the effect you justly observe the contrary on our part might have on the mind of the court of France and also on that of Spain, I think it would be right for us to hold forth at least every appearance of preparation and vigour, and really to do what our abilities and the circumstances of our finance may well justify. The latter I own is a most important consideration, but I cannot judge how far the state of it may or may not require retrenchment and a spirit of economy or indeed inactivity in our affairs. You will, however, perceive by a letter to congress of the 18th by Baron Steuben, that I have again mentioned my opinion of the propriety of placing the army on a more respectable footing than it will be at the opening of the campaign without their interposition; and that I have offered the same in my letter to you, Mr. Livingston and Mr. Matthews.

With respect to provision the situation of the army is comfortable at present on this head, and I

ardently pray that it may never be again as it has been of late. We were reduced to a most painful and delicate extremity, such as rendered the keeping of the troops together a point of great doubt. The exertions of the magistrates and inhabitants of this state were great and cheerful for our relief.

I have had my attention much engaged by a variety of pressing business, and must rely on your indulgence to excuse an earlier acknowledgment of your favour.

I am, dear sir, with great regard and esteem,
your most obedient servant,

GEORGE WASHINGTON.

The energetic prosecution of the war was obstructed by the condition of the currency and the superiour value which every where articles of consumption had over a depreciated paper. A remedy for all this was supposed to be found in the law regulating the price of marketable commodities, and in enforcing its execution by public opinion as well as by pecuniary penalties. An extensive combination among the states to establish a system for this purpose was intended to be entered into, and delegates were appointed by several states to meet in Philadelphia for the purpose.

Mr. Gerry was at the head of this commission from Massachusetts, and the patriots of that state

had great expectations from the labours of the commissioners.

MR. ADAMS TO MR. GERRY.

Boston, Dec. 20, 1779.

MY DEAR SIR,

Last Saturday the two houses of assembly of this state made choice of yourself and Mr. Osgood to represent them in the convention recommended by the joint committees of the five eastern states to be held at Philadelphia. As it was a doubt in the minds of some of the members, whether so many of the other states would send their agents as to make a convention, it was thought prudent to leave it to the gentlemen who represent this state in congress, to agree upon any two of their number for that service. But it was overruled for several reasons; one was, that it was necessary to send one gentleman at least, immediately from hence, because it was supposed such an one must be better acquainted with particular circumstances in this state, necessary to be made known to that assembly, and which are perpetually varying, than any gentleman could be who has been absent for any length of time. Some gentlemen were loth you should be taken off a moment from your important services in congress, but all were desirous of your assistance in the convention, in case it

shall meet. Mr. Osgood will set off with all possible speed.

I am with truth and sincerity,
Your affectionate friend,

SAMUEL ADAMS.

The disease was too deeply seated to be eradicated by superficial remedies. It required an entire change of the body politic, which it was slowly though certainly tending to produce.

A letter from a distinguished jurist of Massachusetts at this period opens to view another subject, which claimed the attention of congress.

MR. SULLIVAN* TO MR. GERRY.

BOSTON, DEC. 25, 1779.

DEAR SIR,

Being very sensible that your attention to the forming of alliances, raising armies and managing

* JAMES SULLIVAN, born in 1744, early embarked in the cause of the colonies, and during the revolution was a member of the provincial congress and general court of Massachusetts. At a subsequent period he was elected to the continental congress, but in consequence of the state of his health declined the appointment. For several years he held a seat on the bench of the supreme judicial court, and having resigned that honour and returned to the practice of the bar, he was in 1790 appointed

finances most solemnly forbids your devoting any part of your time to private friendship, I can for-

attorney-general of the commonwealth. In 1807 he was elected governour, which high office he held at the time of his decease in the following year. Efforts were made by those, who agreed with him on the theory of free government, to place him in the judicial department of the United States on its organization under the present constitution, and it was more to their mortification than his own, that another eminent judicial character of Massachusetts was preferred.

In the course of the various and novel subjects of political discussion, in which he was engaged, he sometimes found it necessary to differ in opinion from those with whom he commonly concurred, and this imputed vacillation produced an occasional discord, which may be noticed in some of the letters of his contemporaries, given in the text. But Mr. Sullivan relied much and properly on the energy of his own mind, and had the manliness to avow any change of sentiment produced by calmer reflection or better judgment. Marks of his astonishing industry and prolific genius, qualities very rarely united, are seen in every department of the public service; in professional employments, where he was crowded with clients; in municipal and political discussions, which he never neglected; in the academy of arts and sciences, of which he was an original associate; in the historical society, over which he presided till the pitiful malice of party deprived him of the honour; in numerous charitable and humane societies, of which he was a member; in the Middlesex canal, a work of daring enterprise, which he mainly contributed to accomplish; in historical, literary and professional works, either of which would have given full employment to an ordinary mind.

Governour Sullivan was an instance, not uncommon in our history, in which the native vigour of superiour intellect triumphs over the defects or the want of early education, and against opposition and rivalry marches to professional distinction and political honour. It was not possible for governour Sullivan to escape the tax invariably levied on eminent men. He lived in turbulent times; and as the character and influence

give the neglect you have shown me in breaking our former correspondence ; but you will nevertheless let me intrude one thought upon you respecting our maritime jurisprudence, for it is at this time of such a motley mixture of the civil law, common law and of the law of nations, together with our municipal laws, and so very expensive to the subject, that I most ardently wish a reformation of the whole into a systematical and homogeneous plan, and as I had the honour and advantage of jointly labouring with you in the first attempt of maritime laws in this state, there may be the less impropriety in addressing you upon the subject.

When our law was made for erecting the maritime courts, the temper of the people was such, and so greatly were they enraged at the corruption of former admiralty courts, that a court of this species without a jury would have met their

were powerful and imposing, which he brought to the aid of his party, so in proportion was the violence of the hostility with which he was assailed. The eminence of his station exposed him to the arrows of obloquy and detraction, but though they might have fretted him at the time, they never pierced the integrity of his character.

In private life governour Sullivan was distinguished for kindness, urbanity and benevolence ; for the easy manners of an accomplished gentleman, and the unostentatious piety of a serious christian. The writer may be permitted to speak as a witness to these titles of respect, while he discharges a debt of gratitude to his earliest professional adviser, whom it is his pride to remember in the character of a most honoured and valuable friend.

universal disapprobation ; but they are now fully satisfied with the wisdom of all civilized nations, in appointing one judge to try facts as well as law, which certainly if he is an honest and able man will give greater despatch and do more justice than can be done in the present mode of trials.

Our yeomanry in New-England from the mode of their education as well as from their common and ordinary business, are good judges of the common law of the land, but when they are called to try causes upon the multifarious principles I have before mentioned, they are lost in mystery. Nor indeed can any one have adequate ideas of right in those causes, but he who is able with the closest reasoning to apply the circumstances to the principles of law.

I hope therefore that congress will recommend it to the states to drop the idle trial by jury in these causes and to adopt a system similar to that of some other nation, or form a new system by improving upon those of all nations ; and then the intolerable burden of appeals to congress or their committee may be done away, and in the room thereof we shall have a supreme court of admiralty in several districts into which the continent may be divided for that purpose ; and as the decisions of those courts will be of the greatest importance, it will be necessary that there should be more than one judge to each, for one is more liable to corruption than more, and the skill and ability of three

may be wanted, but it may not be necessary to have appeals in matters of small consequence, such as seamen's wages and the like.

I would further suggest that as the courts before mentioned must be supported at the public expense, it may be prudent to order a small sum per cent. of all goods that are adjudged prize into the public treasury, to defray the charges.

I am sensible that it is impossible to form a new system, which at its birth will be perfect. Nor is there any one of another nation perhaps, that will so aptly apply to our genius and circumstances as to admit of no improvement ; but if your supreme courts consist of men of industry, ability and enterprising minds, they will from time to time adopt such rules as may tend to the perfection of the practice. But these rules should all be submitted to congress, to meet their approbation, and that the practice may be uniform throughout the whole republic.

In cases of property claimed by the subjects of neutral powers, a complaint ought to lay to congress.

I will not give you further trouble on this matter ; the importance of it must before now have engaged the notice of congress, and so great is my confidence in their ability and uprightness, that I think they can stand in no need of my assistance.

Be kind enough to present my respectful compliments to the honourable Messrs. Holton and

Partridge, and believe me to be, with the most perfect esteem, your most obedient, and very humble servant,

JAMES SULLIVAN.

Hon. Mr. Gerry.

The appointment of commissioner had been preceded by the renewal of Mr. Gerry's election as a delegate in congress, which in the November preceding was had for the fifth time, and continued him as a representative for the year 1780.

The treasury board, of which he still continued at the head, was brought constantly in collision with rapacious creditors of the public, who, not contented with the appropriation liberally made by congress, contrived to obviate the losses of depreciation by extravagant accounts.

The most daring of these was general Arnold, who, having run a long race of profligate dissipation at Philadelphia, was desirous of covering his deficiencies by a claim on the government.

The true character of the man had not then been developed. He was known only as a gallant soldier, whose skill and courage had been conspicuously exerted for his country, and the liberality with which such talents and activity were then readily rewarded inclined men to a favourable consideration of his claims. His accounts were referred by congress to the board of

treasury, where a very slight inspection was sufficient to show the injustice, extravagance and fraud by which they had been prepared.

The general relied on his military character rather than on the accuracy of his vouchers. He could not indeed, like Brennus, throw his sword into the scale, but he was desirous that his professional reputation should give equal efficacy to his wishes. The chairman of the board of treasury was acquainted with no arithmetic, which permitted fraud or extortion to state an account current in their favour, and the general's demands were no sooner examined than rejected.

Angry and impetuous, he immediately made his appeal, not in a very parliamentary way, to congress, and in no measured terms attributed his disappointment to the improper interference and the unjustifiable influence of the chairman.

The reply of Mr. Gerry to this abuse, as impolitic as it was gratuitous, calmly and dispassionately stated the reasons of his decision, but having disposed of the matter in controversy, he turned with fierceness on his aggressor, whom he did not fail to chastise as well for the extravagance of his accounts, as for the folly of the attack, under cover of which he had expected to carry them.

"If," said he, "the faithful discharge of official duty, unpleasant enough in itself, is to bring with it the liability of personal attack from men who have neither honesty in their public dealings nor

courtesy in private life, it might be well to abolish all guards upon the treasury, and admit rapacity and crime to help themselves at pleasure."

The further progress of this dispute was arrested by the interference of friends who had influence with the parties. The accounts of general Arnold were reduced within a reasonable amount. Congress omitted those expressions of its displeasure, which a regard for its own authority, violated by disrespect to one of its members, would ordinarily have required; and the general, obliged unwillingly to put up with the severe remarks, which his conduct had elicited without gratifying his revenge, left Philadelphia for that station, which will perpetuate his infamy to all future time.

The commencement of this year relieved Mr. Gerry from that part of his duty in congress, which had for so long time placed him at the head of the treasury. A new arrangement was adopted, which established distinct boards of admiralty, war and treasury, on each of which were two members of congress and three persons selected at large; and on this organization being made, Mr. Gerry, preferring his duties within the hall of congress to the confinement, which this department required, declined to retain his former situation.

CHAPTER XXII.

Remonstrates against a Decision of Congress.....Leaves Congress and prefers a Complaint to the General Court of Massachusetts.....Resolve of the General Court.....Remonstrance.....The Decision of Congress considered.....Pay of a Member of Congress.....State of the Currency.....Letter from John Adams.....Mode of Living at Congress.....American Mail captured.....Mr. Lovell's Letter to Mr. Gerry published by the Enemy.....Correspondence with General Washington.

CIRCUMSTANCES now occurred, which terminated for a time Mr. Gerry's services in the congress of the United States, and induced him to appear in person with an appeal from their proceedings, to his immediate constituents.

These circumstances, so singular in themselves, and so inconsistent with the present better established notions of parliamentary practice, we proceed to relate.

On February 19, 1780, congress had under consideration the report of a committee for estimating the supplies to be furnished by the several states for the current year, and the prices at which the several articles should be credited to the states which procured them.

This subject was fruitful in vexation as often as it occurred. Its adjustment determined the contingent required of a state. It was in the nature

of a levy or tax. It was to be assessed if justice was consulted on principles of equality, and that equality was to be deduced not merely from the wealth and population of the several states, but also by a reference to their former contributions, so that anterior inequalities of apportionment might be promptly adjusted. With no statistical tables every thing depended on the opinions of members, formed loosely indeed, with insufficient materials, but influenced, whether they believed it or not, by a common wish of each to shift the unwelcome burthen from himself to his neighbour.

Massachusetts had by some means become jealous of an attempt on the part of the other members of the confederacy to load her with an unreasonable weight, and had frequently complained of being treated like a willing horse whom its drivers were compelling to a fatal exertion. On this occasion the delegates from Massachusetts determined to oppose the assessment; and when the clause relative to the prices to be allowed was under consideration, Mr. Gerry moved a commitment for the purpose of conforming the prices to those agreed upon by a convention of states from New-Hampshire to Pennsylvania inclusive, held at New-Haven in January 1778.

This motion was objected to as being out of order; an appeal was made to the house who sustained the objection, and the ayes and noes being

required by Mr. Gerry, the house refused to record them.

This refusal gave great offence to Mr. Gerry, not, as he said, as an individual or in his private capacity, but in his public character as a delegate from a sovereign state, and as affecting in his person the rights of that state.

Unable to obtain a record of votes on the question proposed by him, Mr. Gerry the next day addressed a note to the president, in which he very formally set forth his rights; and insisted "that the sense of the house be now taken by yeas and nays, whether the motion he made yesterday was in order."

Congress, on the receiving of this letter, "Voted, that any member thinking his privilege infringed by any thing said or done in the house, ought of right to be heard in his place."*

On the discussion of this resolve, it was moved to amend it by adding, "and not otherwise;" but the amendment on a division of the house was rejected.

This rejection left it obvious, that a hearing of the aggrieved member in his place was not the only mode permitted; and the resolve was, therefore, no answer to the demand made by Mr. Gerry in his letter of 21st February.

Having waited a month without hearing that

* Journals of Congress, February 22, 1780.

any attention was paid to his demand, he again addressed congress by letter, dated 30th April. In this letter he maintains, that his motion was strictly in order ; that on the question, whether it was or was not in order, he had a right to the record of the ayes and noes ; that to deprive a member of that privilege was a violation not of his own rights but those of the state he represented ; and that it would be his duty to secede from congress, and to complain of this violation to his constituents, unless it was immediately redressed. And he protests against any delay, which by protracting the remedy until the plan, out of which the controversy grew, should be carried by its advocates. "That," said he, "would be a denial of justice by a delay of it, and would seem as if the majority of the house might at any time take off the opposition of a member, by depriving him of his privilege and obliging him to submit to a grievance, or to withdraw from the house during pleasure."

No further measures being taken by congress on this application, Mr. Gerry left Philadelphia and laid his complaint before the general assembly of Massachusetts.

The house, on a report of their committee, immediately voted not only to sustain Mr. Gerry's complaint, but to connect with it another of their own on the unequal assessment, the discussion of which had been the original cause of difficulty.

The council were slower in their movements, and probably thinking that the expression of opinion by the popular branch had answered all the purposes, which could be proposed by the measure, suffered the resolve of the house to lie upon their table.

This did not satisfy Mr. Gerry. In the November following, being re-elected a member of congress, he declined accepting the station, and gave as a reason for his refusal that the rights and prerogative of the state had been invaded in his person, and that no redress had been granted on his own application, and no demand for redress been made by his constituents. This intimation again brought the matter before the legislature, and procured the passing of the following resolve:—

“Whereas it has been represented to this court in several letters from Elbridge Gerry, Esq. and the papers accompanying the same, that by a determination of the honourable congress he was denied a privilege, to which he was entitled as a member of that honourable body according to their own rules and orders. And whereas a complaint of so grievous a nature, when founded on such evidence of the facts as is contained in the letters and papers referred to, demands the serious attention of his constituents, and calls for enquiry to be made touching the subject matter of his complaint. Therefore

“Resolved, that this court approve of the high sense which Mr. Gerry entertained of his right of privilege as a member of congress, and that the delegates in congress from this commonwealth be, and they hereby are directed to make necessary enquiries relative to the breach of privilege complained of, and such representations to congress in reference thereto, as the importance of the subject requires.”

The whole business was closed by the following remonstrance and protest, which was presented by the Massachusetts delegation, and by congress permitted to be placed on their files. Probably a more unparliamentary acknowledgment of error could not have been made.

WHEREAS the honourable Elbridge Gerry, Esq., a delegate in congress from the state of Massachusetts, has represented to the general assembly of the said state that he was on the 19th day of February 1780 deprived of the privilege of a member of congress, in being denied the right of calling the yeas and nays upon a question of order, in consequence of which Mr. Gerry withdrew from congress, and it appearing to said assembly, by the journals of congress and by the letters that passed between the president of congress and Mr. Gerry, that Mr. Gerry's complaint of a deprivation of privilege was well founded, and whereas no reparation has been made to the state of Massachusetts or Mr. Gerry for the injury aforesaid,

The undersigners, delegates in congress from the state of Massachusetts, do in the name and by express order of the general court of said state remonstrate against the conduct of congress for the year 1780, in depriving Mr. Gerry of his right as a member of congress, as being injurious to the privilege of Mr. Gerry and subversive of the right and interest of the state of Massachusetts, in expectation that the present congress will order this remonstrance to be lodged amongst their records, that the sense of the state of Massachusetts relative to the conduct of congress for the year 1780, in the instance referred to, the 19th of February, may at all times hereafter appear.

S. HOLTEN,
NATHANIEL GORHAM,
S. HIGGENSON.

It was certainly a very singular notion that a tribunal, possessing authority in the last resort, could be amenable to any other power, excepting

indeed to public opinion, for the exercise of its discretion ; and it is not a little surprising that when it was so important to have congress stand high in the public confidence, any measure could be justified by so ardent a revolutionist as Mr. Gerry, which might lessen its authority with the people.

But the delegates in congress were considered as forming an assembly of ministers from sovereign states, rather than as officers of one common government ; and although circumstances rendered the union of physical and moral strength necessary for the common good, the idea was never for a moment abandoned, that the source of authority remained in the distinct parts of the confederacy, and not in the confederacy itself. A feeling, if not of state pride yet certainly of state power and authority, which shortly after was a subject of great consideration, controversy and alarm, and which to the present time manifests itself on suitable occasions in some parts of the nation, existed then in its primitive strength, and required only a convenient opportunity for a very active and troublesome exertion of its influence.

But whatever may be thought of an appeal from a decision of congress, as it was then constituted, to the state constituent of the delegate who made it, there is equal cause of surprise at the decision of congress on the principal question itself.

By the confederation, which was in the nature

of a constitution or supreme law, and wholly beyond the control or authority of congress, in the 10th article it is expressly declared that "the yeas and nays of the delegates of each state on any question shall be entered on the journal when it is desired by any delegate; and the delegates of a state, or any of them, at his or their request shall be furnished with a transcript of said journal," &c. The phrase "any question" seems not liable to a construction, which should exclude questions of order. Matters of great interest might be incidentally but effectually settled under this class.

Nor was the right solely derived from the confederation. Congress, by rules of proceeding adopted on 26th May 1778, provided, article 14, Each member present shall declare openly and without debate, his assent or dissent to a question by ay or no when required by motion of any member whose name shall be entered as having made such motion.

The practice under these regulations was also very well established. Two instances from a number may be cited as directly in point. On 24th May 1779, a motion was made by Mr. Morris, seconded by Mr. Carmichael, relative to a pension for those military officers "whose youth, health and ease had been generously expended in the service of the public." An objection was made against taking this into consideration, as

being out of order. On the question, not whether it should be considered, but is the above motion in order, the ayes and noes were required by Mr. Carmichael and unanimously decided against him by states ; he and Mr. Morris being the only individuals who voted in the affirmative.

On 18th December of the same year, a question was pending relative to certain contingents of Massachusetts and Virginia, on which a motion was made to amend, and the motion being objected to as out of order, the question was stated from the chair, "Is the motion in order?" and the ayes and noes being demanded, they were taken and recorded accordingly.

The refusal of congress to order the ayes and noes on the question proposed by Mr. Gerry was therefore a clear departure from their existing rules ; and connected as it was with a subject of high interest to the state of Massachusetts, was probably supposed to betray somewhat of hostility to the rights of the state, to which her inflexible representative was not inclined to submit.

The taking of ayes and noes in congress could have consumed little more time than a common division of the house ; less certainly than ascertaining the vote of an assembly of two hundred members who rise to be counted : but it began to be vexatious from its frequency ; and it is somewhat remarkable, that while previous to this oc-

currence the ayes and noes were recorded almost every day, and often many times in a day, the public journals do not show an instance of a call of this kind for the whole year 1780.

To give the entire history of this unpleasant affair, the narrative has proceeded beyond the time of its occurrence. It afforded Mr. Gerry a relaxation from his public duties, and he returned to Massachusetts in July 1780, after having devoted without recess or intermission, four years and six months to his official labours in congress.

The first business, which claimed Mr. Gerry's attention on his arrival in Massachusetts, was the settlement of his public accounts. The members of congress were paid by their respective states; advances were made to them from time to time according to the liberality or ability of the state, or not unfrequently, the popularity of the incumbent. In this, as in some other respects already adverted to, they more resembled a congress of diplomatic agents than an assembly of legislators.

The accounts presented from time to time to the legislature of Massachusetts for allowance, contained charges for the actual expenses of the delegate, with a claim for a per diem compensation for the time occupied in the public service. Every charge of personal expenditure, including

even the bills of the sempstress and the laundress, are regularly filed with proper receipts in the accounts settled by the several delegates from Massachusetts, as they successively adjusted them with the general assembly of the state.

It may startle any one not conversant with the currency of that period, to learn that the amount allowed Mr. Gerry on the debit side of his account, for his entire time and expenses from 5th January 1776 to 5th July 1780, amounted to forty thousand five hundred and two pounds six shillings and two pence, and that his daily pay for attendance in congress was fixed at ten pounds. The resolve appropriating a sum to defray this apparently enormous charge admits the correctness of the whole account, and provides eight hundred and seventy-one pounds sixteen shillings, in bills of the new emission, which with former appropriations of twenty-three thousand two hundred and three pounds four shillings and two pence would be sufficient to discharge it. The rapid depreciation of the paper currency explains not only the seeming extravagance of these accounts, but the arithmetical paradox that eight hundred pounds and twenty-three thousand could cancel forty thousand five hundred.

By the rule of adjustment fixed in a resolve of the Massachusetts assembly, it appears that this great sum of forty thousand pounds was equiva-

lent to a specie value of about four thousand dollars.

Congress had very early made bills issued by their order a legal tender in all payments. In 1776 Massachusetts had passed laws prohibiting any depreciation of their bills, and had declared that any person who should be convicted of passing the provincial bills for less than their nominal value, should be declared ineligible to any public office and should be fined in a heavy penalty. Any person who offered his goods for specie at a less rate than for bills was liable to be assessed £20, and in all suits a previous tender of the debt in bills was pleadable in bar. But the real value of these bills was the ability of the state either punctually or eventually to pay them in specie. The estimate of this ability depended on the faith of the people, and it has been found equally impossible to regulate human faith by law, whether it regard finance or religion.

The harsh provisions of the legislature were made only to be broken, or like all unwise laws to afford opportunity for the gratification of individual malice. In 1780 congress advised the states to revise their tender-laws, and in the same year Massachusetts enacted a law establishing a scale of depreciation, by which the value of continental paper was to be determined in the settlement of accounts. It commenced in January 1777, at the

highest rate, and ended in April 1780, with forty for one.*

Some insight may be gained through the accounts of the delegates, into the manners and modes of men exercising the sovereignty of the American empire, and exposed to the direct or secret offers of the agents of the British ministry.

The supreme power of the country was in the hands of less than forty men, living together with the simplicity of a private family, indulging themselves indeed with the comforts of gentlemen, but wholly abstaining from parade, extravagance or luxury. The purity of their private life was not less admirable than the patriotism of their public conduct. There was a great want of money among them, and the very limited compensation allowed in the different departments of the civil

* The scale was adjusted to every month in the year, and provided that one hundred specie dollars should be worth in paper in

	1777	1778	1779	1780
January	105	325	742	2934
February	107	350	868	3322
March	109	375	1000	3736
April	112	400	1104	4000
May	115	400	1215	
June	120	400	1342	
July	125	425	1477	
August	150	450	1630	
September	175	475	1800	
October	275	500	2030	
November	300	545	2308	
December	310	634	2593	

service, was controlled or suspended from actual deficiency of means to supply it.

Among the letters addressed to Mr. Gerry after his return to Massachusetts, by his companions in congress, is one from which the following extract is taken.

“Jemmy* has published a silly story about our friend ——— keeping Mrs. ———. Poor fool! He does not know that scarcely one of us can keep himself.

* * * * *

I now owe one hundred and forty-seven dollars for board and some little borrowed of my landlady, besides twenty-six borrowed for every day expenses, and perhaps sixteen more to tailors and shoemakers. How under Heaven am I to get this with provincial paper, which does not pass here for any thing at all, and is next to nothing where it was issued? You speak of my soon being at home! I own no horsé, or I might ride away from these great debts and ask charity on the road for a delegate from ——— to enable him to reach home. If I could get there, what's to be done? I shall be without any income and without a hint from any man that he will employ me in any way within the compass of my abilities. Bad as my present state is, it compares very well by the side of nothing. I don't mean to complain, my good

* The printer of the tory newspaper in New-York.

friend, for my pay is as much as my colleagues. But I wish when it comes it would keep me alive. I suppose it is not wrong to serve here as a delegate for a living, any more than in the church or college, or a school. I am willing to bear patiently the injury the war has brought on me and my family, in common with many others, but I see no way of staying here, or living at home, and I suppose I must submit to banishment from my native province to some newer quarter, where land is easy to be had, or education may ensure employment.

To quit all connexion with the contest in the present stage of 'it, and to take horse and saddle bags, if they can be got, in the hope of 'making something handsome,' as the phrase goes, out of credit, does not exactly fall in with my wishes, though it may with my necessity."

The agents of the country abroad were not in a much better condition.

MR. JOHN ADAMS TO MR. GERRY.

PARIS, FEB. 29, 1790.

MY DEAR FRIEND,

This goes by the marquis de la Fayette, whose military ardour cannot be extinguished nor abated by the pleasures of Paris, nor the honours of Versailles, nor the profits of a great fortune, nor by the

charms of a beautiful wife, nor the comforts of very fine children.

He took leave of the court in our American uniform, and with his congressional sword, which is as fine a one as any in the world.

I have but a moment. Pray remember us. Give us orders to draw you know where. Without these we shall be in a few months, if not weeks, reduced to go about begging or borrowing of individuals, and be very glad to obtain a subsistence even in this humiliating way, which however will have a worse effect upon the public than upon us, as it will make the United States ridiculous.

Your's,

JOHN ADAMS.

Mr. Gerry.

The Massachusetts delegation at Philadelphia usually lived and messed together at some respectable boarding house. The club of wine, which was assessed equally and charged in their account with the state, shows a very moderate indulgence of the pleasures of the table. Mr. Gerry appears to have retained a private servant and a pair of horses. Some others were without either of these conveniences. A ride, a walk, or a conversation party, constituted their chief means of amusement. The absorbing interest of public concerns, the constant vicissitude of events, the recurring novel-

ties in political affairs, which every day presented, seem to have furnished means for relaxation from the duties of the hall.

The public mails formed a very inadequate source of supply for the impatient curiosity, which was continually excited. Expresses were interchanged between congress and the army, at the pleasure of its presiding officer, and were of course intrusted with the letters of the members. Private travellers often outrode the public mail-carriers, and anticipated their intelligence. Newspapers did not inundate the country. Thus the channels of intelligence being uncertain, the searching after the latest advices, comparing different rumours, sifting true reports from false, analyzing and determining the state of things obscured by contradictory stories, and discussing their probable operation, furnished sufficient occupation for the little time not actually devoted to the public service.

It would have been in vain undoubtedly, that any pecuniary temptations would have been sufficient to allure such men from the service of their country, and it is not known or believed that a single instance occurred in the whole progress of the revolution, in which any man elevated by public confidence in the civil department of the country betrayed the trust that was reposed in him. Men as poor as Diogenes preferred the sunshine of their country's favour to all the advantages

which the royal interposition could give in exchange for it.

It is not necessary for the honour of the American character that direct offers should have been rejected. The not making them is proof of the incorruptible integrity which presided in the public councils. The conduct of the enemy leaves no doubt that corruption would have been used as one of the weapons of his armory, if those whom it was intended to strike had not been armed in proof and mailed against its power.

Things happened occasionally to alleviate the severity of those political engagements, in which the members of the continental congress were most commonly involved. A British mail was now and then captured, and its contents were frequently diverting to those who could trace the fallacy of expectations in which the writers indulged. From one of these some papers have already been selected. In return "a rebel mail" was made prize by the enemy, and the details of private correspondence given to the world. These chances of war were often the sources of pleasantries and wit, though sometimes of graver feelings.

Soon after Mr. Gerry left congress an American mail was taken by the enemy, and among the letters it contained was one directed to him by Mr. Lovell, his colleague in the Massachusetts delegation.

The writer, Mr. Lovell, was a man of singular

character. His father for many years had been a distinguished teacher of the Latin and Greek languages, and he had formerly been an assistant in the same school. Deeply read in all the learning of antiquity, he had failed to acquire that more common knowledge, which conforms to the habits or manners of the times. For several years he had been a member of congress, and although his patriotism and zeal were without suspicion, there were not wanting those who were unable to reconcile certain eccentricities of manner and language with a perfect sanity of mind. Exact and regular, so far as business was concerned, methodical and punctilious in the discharge of it, he often indulged his imagination in descriptions, which, whether intended for romance or truth, it was difficult if not impossible to understand. No flatterer of the great he despised sycophancy in others, and conforming to the plain manners, which in his view indicated republican feelings, he was not sparing of censure when parade or splendour were exhibited for the purpose of observation. But when his mind was excited it seemed beyond his control, and the usual restraints by which other men were bound, were as weak upon him as flax upon the hands of Sampson. There remain many who remember the goodness of his heart and the contrasted sternness of his manners, the active benevolence of his conduct and the repulsive severity of his language; and who have

admired at one time his patient industry in official duty, and at another the frenzy apparently without cause, which lighted up his imagination, and seemed to change in his view all the common objects of other people's regard.

In one of those moments of hallucination, he addressed a letter to Mr. Gerry, with whom he was on the most intimate terms of friendship and confidence ; and intending, if any definite meaning was connected with the letter, to censure the servility of certain flatterers of the commander in chief, proposed that there should be introduced into congress the following motion :—

“ Resolved, that general Washington be, and he hereby is fully authorized and empowered to carry into execution, in the most complete and ample manner, such measures as shall appear to him best calculated for raising and bringing into the field on or before the first day of January next an army of 25,000 men, to continue in the service of these United States during the present war with Great Britain ; to provide arms, ammunition, clothing, military and hospital stores and camp equipage of all kinds, wagons, horses and forage ; to supply the said army with all kinds of provisions and refreshments ; to lay up such magazines of provisions, forage, military and hospital stores and camp equipage, as he shall judge are necessary ; to appoint such officer or officers in the said army as shall be from time to time required ; to bring

to trial all officers whose conduct may render it necessary ; to carry into execution such sentence as shall be awarded by a court martial ; to call forth from time to time such and so many of the militia of these United States as in his opinion may be necessary. And he, the said general Washington, is by these presents required, in the most speedy and effectual manner, to carry completely and vigorously into execution the powers and authorities hereby vested in him, and to do all such other matters and things as shall appear to him necessary to promote the welfare of these United States ; to draw on the treasury of these United States for such sums of money, as shall be required to defray the expenses incurred in consequence of the powers to him delegated. And the congress of these United States do, in the most solemn manner, pledge themselves to the said general Washington fully and vigorously to support him, and to ratify whatever shall be by him done in the premises.

“ Resolved, that the foregoing powers and authorities continue, and they are hereby declared to be in full force until the first day of December 1781, and no longer.”

Further remarks followed, of an ambiguous and equivocal nature.

This letter was intercepted and published in Rivington's Gazette. The publishers were ignorant of the character of the writer, and annexed

to it comments calculated to produce the idea of its being the confidential arrangement of a plan hostile to general Washington. Unexplained it had that appearance. To so serious an imputation on his own judgment and discretion, Mr. Gerry would not lend the aid of his silence.

MR. GERRY TO GENERAL WASHINGTON.

BOSTON, FEB. 7, 1781.

DEAR SIR,

Having lately seen an intercepted letter of the 20th of November last, written by Mr. Lovell and published in Rivington's Gazette, I wish to be indulged in making a few observations on the subject.

When general Knox was here, he informed me that the paragraph of the letter, which respected a person's being "popular," was supposed by some to refer to your excellency; but the date of the letter from whence Mr. Lovell's quotation was made, being a few days after the general election of this commonwealth, must, I think, convince every attentive reader, that the paragraph related to a civil officer who was then elected. This will more fully appear to every person acquainted with the circumstances of the election itself, the popularity of the officer mentioned, and the preference

I publicly gave to his competitor. If, however, I could conceive that your excellency viewed the paragraph in the light first mentioned, I would desire Mr. Lovell, as I have not a copy of the letter, to send you the original ; but should be exceedingly mortified to find, that any transaction of mine had produced in your excellency's mind a doubt of my friendship towards you.

Mr. Lovell promised, in a former letter, to send me a curious motion made by a gentleman lately from the army, whom I then supposed to be general Sullivan ; but no mention was made of the purport of the motion, nor that it respected your excellency.

The paragraph in Mr. Lovell's letter subsequent to the motion is so enigmatical, that I have no idea of his intention, whether favourable or not. Indeed I have no reason to suppose the latter from his former conduct, which has ever appeared to me both friendly and respectful to your excellency. But admitting that he has otherwise expressed himself in the intercepted letter, surely the direction of it to a person unacquainted with the contents, should not infer a suspicion of his want of friendship to your excellency. And here a question may arise, whether it is inconsistent with friendship to receive a confidential letter containing strictures on the conduct of a friend ? The person in this case who receives the letter is in a

delicate situation ; for by rejecting the letter he loses one friend, and by receiving it may disaffect the other. Is it not the most eligible mode of conduct, under such unfortunate circumstances, to hear confidentially what one friend has to say against another, and to endeavour to cure the animosity by a candid consideration and state of the facts? I must confess this has been my practice, and it has frequently afforded me an opportunity of restoring the confidence of contending parties. If nevertheless any person, however friendly to me, was publicly to reflect on the character of another friend, I should think it my duty as publicly to resent such conduct.

I have been thus explicit on the subject, because I should be exceedingly unhappy to find, that the intercepted letter had produced in your excellency's mind any unfavourable sentiments respecting myself ; but should this be the case, I shall still continue to maintain that disinterested friendship and respect, and that affectionate regard which I have ever entertained for your excellency.

I remain, sir, with every sentiment of friendship and esteem, your most obedient and very humble servant,

ELBRIDGE GERRY.

His excellency general Washington.

GENERAL WASHINGTON TO MR. GERRY.

NEW WINDSOR, FEB. 20, 1781.

DEAR SIR,

The mail of last week brought me your favour of the 7th.

Never having entertained a doubt of your friendship, the trouble you have taken to remove a supposed suspicion of it, would have given me concern were it not overbalanced by the pleasure I felt at receiving, in the same instant, fresh assurances of your esteem and regard for me.

Declarations thereof on your part, require candour and confidence on mine.

I do not scruple therefore to confess, that I was not a little hurt by the implications and the general complexion of Mr. Lovell's letter, and was not a little embarrassed in determining upon a proper line of conduct for me to observe on the occasion.

Conscious that, neither directly nor indirectly, no act, word or thought of mine had given birth to the motion transmitted you, it was not a very pleasant thing to see a letter published, the natural interpretation of which held out very different ideas.

The paragraph immediately following the motion is perfectly enigmatical to an uninformed mind; but from the context and other circum-

stances, must be supposed to relate to the same person and subject. I have heard it did not ; but the combination was remarkable, and its falling into the hands of the enemy and being exposed to public view, unfortunate.

With great esteem and regard I am, dear sir,
your most obedient humble servant,

GEORGE WASHINGTON.

Elbridge Gerry, Esq., Boston.

CHAPTER XXIII.

Visits the American Camp by order of Congress.....Letter describing it.....Elected to the Legislature of Massachusetts.....Letter of Samuel Adams.....Refuses commission of Justice of the Peace.....Letter of J. Adams.

ALTHOUGH the circumstances already narrated brought Mr. Gerry's services in congress to an unexpected termination, they were not considered by him a matter of personal offence, nor were they permitted to operate injuriously to the public service. Having been appointed by congress on one of their usual committees to visit the army, he availed himself of the opportunity of his return to execute the commission with which he was intrusted.

The deplorable condition of the American arms, communicated in a letter necessarily at the time confidential, can scarcely be realized by the present generation, who are reaping the vast fruits of those services which were performed in misery and wretchedness.

There is a certainty that the picture here drawn is a true one, and we may well hesitate whether most to compassionate the extreme poverty of the country or admire the patient patriotism of her gallant defenders. The darkness of the scene is

not chiefly produced by the physical wants, the cold, nakedness and famine of the army. Great as were the sufferings, which the deprivation not merely of the comforts but the necessities of life occasioned to mere animal nature, the sting which they inflicted struck deeper in the mind. The camp is the school of honour, pride and generous feeling. It is the theatre too where chivalrous and gallant spirits display the sentiments of their nature ; danger is incurred with alacrity, for it is the ladder of their fame ; wounds, sickness, suffering are the expected companions of their adventurous profession, and however unwelcome in their visits they come not without preparation. In most instances they bring with them, as some compensation for their pain, the testimonials of honourable services, the marks of devotion to duty, and the record of a claim to applause. But the wounded spirit is no anticipated part of the sufferings of the soldier ; that condition of things which degrades him in the eyes of his companions, strips the battle field and the camp of all the adventitious glory that belongs to it, and holds out to him, who wields the sword of his country, only the inducements which conscience can repose upon in the justice of the cause.

This is undoubtedly the noblest, as it is the highest and the purest principle which can fill the ranks of an army ; but the history of mankind shows how feeble it has been found, and how un-

frequently it has been attempted. The band of Leonidas were desirous it should be told at Lacedemon, that they died at Thermopylæ in obedience to the laws. Life in innumerable instances has been exchanged for fame. But the patriots in the American army were compelled to endure life in humility from a principle of duty, to expose it on the field as the bulwark of public liberty, and to hide themselves in huts and caverns to escape the jeers that might have reproached their poverty, instead of meeting the plaudits that should have sounded forth their fame. Among themselves, the common victims of a general inability to supply either the food or clothing which nature required, there was indeed some relief for the officers of the American army; but in contrast with the French officers who came supplied with all the paraphernalia of a camp, the condition of their affairs must have been inexpressibly painful. It was this contrast which operated on the minds of high-spirited and gallant men, and tended to repress that self-respect and elevation of mind, which their profession inculcates. It was this which exposed them to mortification in addition to actual distress, and required an exertion of moral courage far more difficult to acquire than the most distinguished bravery in battle.

They did indeed acquire it. For the great cause in which they were engaged; for the success of that cause they submitted to all those evils,

from which military service is most ordinarily, in a peculiar degree, exempt. But they looked forward, it may be, to the recompense of success. With an eye of hope they saw their country triumphant, in peace, in security, rich, prosperous and generous. They saw in distant vision those free institutions established, which formed a new epoch in the history of the world, and they consoled themselves with the belief that future gratitude would compensate for the involuntary injustice of the day. Has the result yet answered their reasonable expectations? Has the liberality of their country, has even the justice of their country performed the duty, which they have a right to demand?

But we return to the times in which the following picture was drawn.

**MR. GERRY TO THE PRESIDENT OF THE COUNCIL
OF THE STATE OF MASSACHUSETTS.**

JULY 3, 1780.

SIR,

The communications respecting the army, which at the request of the committee of congress at camp, and of his excellency the commander in chief, I had the honour of making on Friday last to the honourable board, being agreeable to their desire committed to writing, are in substance as follows.

That on the 10th of June last, the army with all its detachments from the state of Delaware to the eastern parts of Massachusetts, inclusively, did not contain above eight thousand men rank and file.

That this number was continually decreasing, by the expiration of enlistments.

That the troops had for a long time been partially supplied with provisions, having been often reduced to half and sometimes to a quarter allowance, and that there were no spirits in the magazines.

That both officers and soldiers were badly clothed, insomuch that many of the former were obliged to absent themselves on public occasions, or make a disgraceful appearance, and that many of the privates, in the most inclement season, had been without shoes and hose, or even a shirt to their backs, and reduced to the necessity of constantly residing in huts to preserve life.

That in addition to their losses by the depreciation of the currency, the army were five or six months' pay and subsistence in arrear, and that the hospitals were unprovided with necessaries.

That the quarter-master's department was unsupplied with money, and the means of transportation.

That great discontents had arisen amongst the soldiers in consequence of their sufferings, and that since December last, a number of them sufficient to form two battalions had deserted to the enemy.

That from the want of provisions a dangerous mutiny had taken place in two of the continental regiments, and that it was suppressed by the vigorous exertions of the officers, who with a great degree of virtue and zeal had given up their rations of meat and subsisted several days on flour, to reconcile the soldiers to their sufferings.

That nevertheless these expedients could not have a lasting effect.

That the armament from France may be soon expected, and that congress had given to his most christian majesty the strongest assurances that the United States would provide an army of twenty-five thousand men rank and file, and sufficient reinforcements of militia, with full supplies of provision, to co-operate with the forces of their ally.

That should the states fail in these their engagements, and in their intended co-operation, it is highly probable that the French officers will think themselves disgraced, and notwithstanding the good will of their royal master and of his ministers towards us, be ever after irreconcilable to Americans.

That such a misfortune would naturally tend to discourage our friends, and animate the friends of Great Britain in Europe, and that the latter may thus be enabled to form alliances, which might be attended with the most serious consequences.

That other disagreeable effects would naturally result from a failure as aforesaid.

That therefore no time is to be lost in sending on the supplies of men and provision required by congress and their committee at camp.

That to obtain immediate supplies of money, it is the desire of the committee and of the general, that the inhabitants of the state may be urged, and associations be forthwith formed to bring into the loan offices all the old continental bills of credit in their possession, and receive an equivalent in new bills at the exchange of forty for one, established by congress.

That for every forty dollars thus brought in, two dollars in new bills may, agreeable to the resolves of congress of the 18th of March last, be issued, one of which being paid in exchange, the other may be applied to the use of the public.

That the treasury may thus be supplied in the most expeditious manner with a sum in new bills equivalent to the whole of the old bills so exchanged.

And that by these means there is yet a prospect of rendering the campaign vigorous, which cannot be done by the slow operation of taxes, or by the present precarious supply from foreign and domestic loans, subscriptions, &c.

The marquis de la Fayette, in addition to the preceding representations, earnestly requested that clothing might be immediately sent on for the officers deficient therein ; that trifling as the injuries resulting from their indigence might appear to the

public, it had certainly checked the ambition of the officers, and by lessening their authority impaired the discipline of the army ; that he had great reason to apprehend that it would make disagreeable impressions on the French officers, and would lessen that attention and respect, which are so necessary to cultivate a permanent friendship between them and their American brethren, and that he thought it advisable, if a sufficiency of clothing was not made up, to send the materials to the army, which could furnish artisans for this purpose.

The honourable board will readily conceive the impropriety of committing to paper some part of the communications referred to, and give me leave to remind them of the request of the minister of France respecting maps for the squadron expected from thence, and also to inform them that his excellency governour Trumbull requested me to state to them that the Connecticut soldiers, whose terms of enlistments had expired, had repaired in large numbers to the seaports, in order to engage themselves in the privateering business. That in consequence thereof an embargo had been laid by the governour of Connecticut, for the purpose of filling their battalion. That unless the states of Massachusetts and Rhode-Island acted in concert with the other state, the soldiers would resort from thence to their ports and defeat the intentions of Connecticut, and that therefore the said state was

under the necessity of requesting the other states to lay and continue embargoes for the purpose mentioned.

I would beg leave further to observe, that Rhode-Island has complied with the request, and being informed that the embargo of Massachusetts was laid with a view only of manning the continental frigates, I thought it necessary to make this communication, which I had before omitted.

I have the honour to be, &c.

ELBRIDGE GERRY.

Mr. Gerry returned to Massachusetts just at the commencement of affairs under the new constitution. He found Mr. Hancock a candidate for governor. Between that gentleman and his colleagues in congress, there had been a coolness and want of cordiality, originating among other things in the suspicion that his conduct was too much guided by a love of popularity, and the whole influence of the delegation was thrown into the scale of his opponent. Mr. Hancock nevertheless succeeded, and under his administration the new government was organized on 25th October, 1780. In the first legislature under the present constitution of the commonwealth of Massachusetts, Mr. Gerry was elected a senator for the county of Essex, and a member of the house of representa-

tives for the town of Marblehead. He held also his title to a seat in congress, the time for which he had been appointed not expiring till the end of the year.

When it is remembered that he had thrown himself into the election against the strong current of Mr. Hancock's popularity, these proofs of the confidence of his fellow citizens will be deemed flattering testimonials of the estimation in which they who best knew him held his character and services in the public councils.

The election to the senate he respectfully declined. His seat in congress he had determined not to resume during the existing term, but he accepted the appointment conferred upon him by his neighbours and friends of Marblehead, and took his place in the house of representatives at the commencement of the new government of the state.

This preference for the popular branch was in accordance with his republican principles. It was his desire in all political relations to keep himself as near as possible to the people. The elevation of the first branch of the legislature was according to his notion a fallacious distinction; not indeed from any doubt of the propriety of a provision for two legislative branches, nor on the other hand from any popular talent on his part, which could be better exerted in a larger assembly, but simply from a belief that the will of the people could be

better understood, and the duties imposed on their representative be better performed by remaining in the popular branch.

The statesmen of Massachusetts were not desirous in the progress of the institutions which they were called upon to establish, to make any unnecessary or startling difference in the forms heretofore familiar to the people in the operation of government. So far indeed as changes were necessary to secure public liberty and private rights, they were made unhesitatingly and without opposition, but beyond that the spirit of innovation was kept strictly under control. The dignity and in some degree the ceremonial of the royal government may be traced in the architecture of the new constitution. The express recognition of a distinguishing title to the two first executive magistrates, the common appropriation of another by courtesy indeed, but invariably to the council and senate, and the nonappropriation of it to the members of the house of representatives, the formality of an interview between the executive and legislative departments at the commencement of the session, the set speech and separate answers, which were undisturbed in the olden time, the eminent citizens, from whom, whatever has been the collision and fierceness of political parties, have been selected as candidates for the chair, and the official deference and respect, which have always been paid to the incumbent, beyond that which other

stations in this state, or similar rank in other states have commanded, are traces of the manners derived from an early period of colonial history, and which infused their colour at least into the republican government of Massachusetts.

Mr. Gerry inherited and cherished all the habits in this respect common to the early patriots with whom his political associations were formed. The proper dignity of government was never relaxed in his hands; its artificial forms and requisitions, though often with much sacrifice to himself, were never omitted. In the arts of popularity, for the sake of personal advantage, no instance can be found in which he ever permitted himself to indulge. To ascertain in what the best interests of the commonwealth consisted, and to take the path by which, in his opinion, those interests could best be secured, whatever were its dangers and however unpromising the reward, was with him a principle modified into habit, from which he never relaxed.

In pursuing the voyage of duty by the compass of his own integrity, he sometimes had to encounter those adverse currents in the stream of popularity, which drove him momentarily from the harbour of respect and honour; but it was his good fortune, though long and anxiously the sport of adverse winds, to find himself at length in his destined haven. The certainty of encountering them, and the hazard of a wreck never for a moment

prevented his adventurous course ; and however wise men might differ as to the correctness of the line upon which he steered, none can doubt that the only motive for his following it must have been a belief that it was right.

The senate, to which he was at this time elected, was suited to the grave, deliberate and mature character of his mind, and must have presented a prospect of more agreeable duty than a place which would probably call for the lighter arts of declamation and the showy decorations of popular address. This selection of a station in the state government, which it was permitted him to choose for himself, is one of the occurrences of his life, in which the public service predominated over considerations of a merely personal nature.

While Mr. Gerry remained in Massachusetts Samuel Adams had returned to his seat in the congress at Philadelphia, and the separation of these gentlemen opened again a new correspondence between them. Another eminent citizen has been called the colossus of the revolution, but the distinction, if merited by any one man, could with singular propriety be challenged for this inflexible republican. The most perfect disinterestedness marked his political conduct. Other men were desirous of the reputation acquired by bold or great acts, and of being distinguished for their

zeal, their industry or address. It was sufficient for him to do what was meritorious, regardless of the reputation derived from it. Whatever of fame was to be acquired, he left others, if they might, to obtain; whatever labour or danger was to be incurred, he was ready to undertake himself. Devoted heart and soul to the great cause, in which his country was engaged, he was willing indeed to encourage any one in the same pursuits, but disposed to honour those only who engaged in them from the same noble motives and the same integrity of heart. Many of the wisest measures of civil polity, to which the times gave occasion, originating with him, added to the laurels of his associates; and many of those imperishable memorials, which may serve as models for the future statesmen of the country, are the unclaimed productions of his pen, while the honours of authorship have graced his more ambitious coadjutors.

Cool, dispassionate and collected, the firmness of Mr. Adams' mind was a check on the too adventurous rashness of the enterprising, and a support to the drooping courage of the doubtful, while it directed the execution of the proper measures with certainty, vigour and success.

Revolutions, it has been supposed, generate the character they require. Mr. Adams was made for the times in which he lived. The self devotion,

the assiduity, the disinterestedness of his conduct, ennobled the cause he supported; and as these qualities rendered him less anxious to acquire reputation than to deserve it, posterity is bound to be the more just to his fame. He was not permitted to witness the grandeur and glory of his country without feeling that patriotism and public services are not always remembered in the days of prosperity and success. But distance is placing the greatness of his character in a light for unqualified admiration, and a generation is arising,

“Whose sons will blush their fathers were his foes.”

MR. S. ADAMS* TO MR. GERRY.

PHILADELPHIA, Nov. 27, 1780.

Let me entreat you, my dear sir, not to think me unmindful of the several favours I have received.

* Mr. Adams was a man of short stature and feeble frame, and was early affected with a tremulousness of nerves, alluded to in this letter, which at times rendered him unable to hold a pen. The trembling, which in some situations had the appearance of fear, was at singular variance with the boldness of his language and the intrepidity of his conduct.

After the Boston massacre on 5th March 1770, he was chairman of a committee to wait on the governor, and require him to remove the troops from the capital. The governor hesitated, doubted his authority, endeavoured to make terms, and spoke to the committee in the lordly language which became, as he supposed, the viceroy of a king.

“They must go,” said Mr. Adams, “if not by your orders, by

ed from you since I arrived in this city. I hate protestations among friends, and the making apologies is so formal a business, that I know not in what manner to begin it. Yet it seems necessary that I should say something in excuse for my not having written to you. Shall I tell you of my trembling hand, and how unfit an instrument it is to guide a pen? I do assure you that writing is on that account become painful to me. I am persuaded you never doubted of the reality of my friendship for you, and I solemnly affirm it is not abated a single iota. Let this suffice on the score of apology, and permit me to hope that I shall receive your letters frequently while I remain here, which however will be only till next spring. I shall then take my final leave of congress and seek that retirement from public cares, which my country seems to point out for me, and to which my own inclination leads me.

I perceive it has been in your option to take a seat in either house of the general assembly, or to return to congress. I cannot say in which of these

the voice of the people." "Can we compromise?" said the governor. "No, sir." "Suppose I send one regiment to the castle?" Mr. Adams, his countenance illuminated as if with the light of inspiration, and his angry eye speaking the energy of his soul, stretched out his trembling hand in the face of the governor, and said to him, with a vehemence of voice utterly in contrast with the want of muscular power, "BOTH SIR, OR NONE!"

When statues are erected to the great men of our country, this incident might be well selected for the chisel of an American artist.

departments you will have it in your power to render the most substantial service to the public. We feel the want of you here, and yet I think you have wisely chosen a seat for the present in the house of representatives. Many virtuous men there may want the information which you may be able to give them. Possibly you may have much of the old ground to go over again. More, in my opinion is to be done, than conquering our British enemies, in order to establish the liberties of our country on a solid basis. Human nature, I am afraid, is too much debased, to relish the republican principles in which the new government of the commonwealth of Massachusetts appears to be founded. Mankind is prone enough to political idolatry; and may it not be added, that the former government, I mean the last charter, being calculated to make servile men rather than free citizens, the minds of many of our countrymen have been inured to a cringing obsequiousness, too deeply wrought into habit to be easily eradicated? Such a temper is widely different from that just reverence which every virtuous citizen will show to the upright magistrate. If my fears on this head are ill grounded, I hope I shall be excused. They proceed from a cordial affection for that country, to the service of which I have devoted the greatest part of my life. May Heaven inspire the present rulers with wisdom and sound understanding! In all probability they will stamp the character of

the people. It is natural for a sensible observer to form an estimate of the people from an opinion of the men whom they set up for their legislators and magistrates. And besides, if we look into the history of governours, we shall find that their principles and manners have always had a mighty influence on the people. Should vanity and foppery ever be the ruling taste among the great, the body of the people would be in danger of catching the distemper, and the ridiculous maxims of the one would become fashionable among the other. I pray God, we may never be addicted to levity and the folly of parade. Pomp and show serve very well to promote the purposes of European and Asiatic grandeur, in countries where the mystery of iniquity is carried to the highest pitch, and millions are tame enough to believe that they are born only to be subservient to the capricious will of a single great man, or a few! It requires council and sound judgment to render our country secure in a flourishing condition. If men of wisdom and knowledge, of moderation and temperance, of patience, fortitude and perseverance, of sobriety and true republican simplicity of manners, of zeal for the honour of the Supreme Being and the welfare of the commonwealth; if men possessed of these and other excellent qualities are chosen to fill the seats of government, we may expect that our affairs will rest on a solid and permanent foundation.

I thank you, my dear sir, for mentioning my family so affectionately in one of your letters. Oblige them with your visits as often as you can. Adieu, and be assured that I am most sincerely

Your's,

SAMUEL ADAMS.

Hon. Mr. Gerry.

On 31st January 1781, Mr. Gerry was elected a member of the American Academy of Arts and Sciences, then recently established in Massachusetts. In communicating this appointment their secretary, the late president Willard of Harvard College, addressed him in the following flattering language: "The academy is happy, sir, in having had the opportunity of adding to their catalogue the name of a gentleman so capable of promoting the useful designs of the institution, whose uniform and unwearied exertions in the most important departments to advance the interests and secure the happiness of the United States of America, must endear him to every friend of his country."

In the same year governour Hancock put Mr. Gerry into commission as a justice of the peace. He had many years before received this compliment from the provincial governours, but he now saw fit to return the commission.

In a letter to his excellency, he informs him that it is sent back because he finds it inconsistent with his convenience to execute the duties of the office, and incompatible with his principles to hold an office without discharging the duties it imposes. The royal government, he admits, was in the habit of sending such commissions as a mark of favour, and for procuring an influence dangerous to liberty. By multiplying their retainers they increased their power, because patronage and dependence they believed to be reciprocal ; but he hoped that the evils of the old government would not be repeated in the new ; that offices would be created only when business was to be done, and officers appointed only when their services to the public might compensate for the honour or emolument of the station.

How far this unusual refusal of a customary compliment, which if the governour had neglected to offer might well have caused complaint, was occasioned solely by the reasons that were given for it, or how far it was considered a suitable opportunity of rebuke to his excellency, whose conduct in the chair had not yet conciliated the favour of his rivals, must remain in conjecture. It had the concurrence of those friends who were in the habit of agreeing with him in political measures.

There was a party not very strong indeed in numbers, but capable on most occasions of exerting a powerful influence with the people, who de-

precated all attempts to conform in any degree to the parade, the pageantry, or the expense of the regal government, and who believed that what some considered the generous and hospitable conduct of his excellency and the proper conformity of manners to station, was too nearly allied to the idolatry they detested. These men were alive to every step which advanced the patronage of the executive, in whose strength, judging by the experience of the past, they always beheld a weight adverse to the interests of the people. The actual operation of the state and national governments when administered by the people ought to have changed the notions of statesmen, who argued inconclusively, as it would seem, from the manners of the royal representative.

The same disinclination to strengthen the arm of the executive did not always continue to mark their political opinions, and at no short interval of time a complaint, the very opposite of this, most frequently resounded. It did not long remain concealed, that where the popular will is left to its own operation, no exertion of executive patronage or power within the limitation imposed by the free institutions of the country, can corrupt or destroy it.

Mr. Gerry, and many of his friends who preceded him in the executive chair of the state, found it a very convenient exercise of their prerogative to bestow on others the same compliment

which he had refused to receive for himself, and to reward that political conduct which gives a man the character of being a friend of the government, by a notice from the chief magistrate that is intended simply as an expression of respect.

Concerning the influence of the executive power it is not unnatural men should differ, as they examine it from different points of view. They who are called to be responsible for its due exercise, and who feel how constantly their designs are misunderstood by the ignorant or perverted by the wilful, are inclined to consider the fair exercise of their constitutional rights as some counterbalance for the prejudice, the hostility or the jealousy of their rivals; while these finding the executive supporting itself by its patronage against the opposition they are organizing, are apt enough to consider it as unjustly controlling the popular will.

On 21st June 1781, Mr. Gerry was again appointed a delegate in the congress of the United States, to commence from the first of November then next ensuing, when his former commission would expire. But the dispute before alluded to had not been settled in congress, and no satisfactory measures had been adopted by the state; he therefore, in form, declined the appointment. The legislature, however, would not accept this declaration of his intention to retire from their service, and with unprecedented civility refused to consider his place vacant or to appoint a successor.

In April of the following year, he was again elected a member of the senate of Massachusetts, and in June was re-appointed a delegate in congress for the year beginning in November.

Notwithstanding the pertinacity with which these high and honourable offices were pressed upon him, he does not appear during that year to have much concerned himself with public duty. His seat in the senate he never assumed, nor did he accept immediately the more desirable situation in the national councils. Private affairs to which the decease of a relative called his particular attention, afforded him an excuse for intermitting his public labours; and his constant devotion for many years preceding to the service of his country, was accepted by his fellow-citizens as an apology for not repairing to those posts of honour and confidence, which their partiality continued to assign to him.

But in addition to the reasons above alluded to, some dissatisfaction was felt by Mr. Gerry that at this time the cause of his leaving congress had not been settled, and some displeasure was entertained towards the existing government of the state. Feeling that under these circumstances the usefulness of his exertions might be limited, and little desirous of public office for personal gratification, he was inclined to consider that for him, at that moment, "the post of honour was a private station."

MR. JOHN ADAMS TO MR. GERRY.

THE HAGUE, JULY 2, 1782.

DEAR SIR,

Well ! how do you find yourself after a little repose ? Are you married ? Or making fortune in trade ? Or still busied in politics and public good ? I am in a longing condition for your letters, because they used to give me the most comprehensive ideas of affairs. You ought to remember me, for it was you who sent me abroad in quest of adventures which have ruined me, *de fond en comble*. I am worn out and broken to pieces ; but can still laugh at the folly and ill-nature of the world.

I can tell you no news. The Mynheers have received us with open arms at last. If they should not do much for us they have increased our reputation, and they have bound themselves to do nothing against us, which is a great point gained. The open, public manner in which all has been conducted, redounds much to our honour.

The news must be divided into that which respects war, and that which respects peace. The war in Europe is wholly maritime. The combined fleet sailed from Cadiz the 4th June, and has not been heard of since. It is expected in the channel to be joined by the Dutch and by other French ships from Brest. But some begin to suspect, that Cordova is gone to Jamaica or New-York.

If they come to the channel, the English cannot meet them; they must skulk into Torbay, &c. Certain little intrigues, from certain individuals in Russia and Denmark, make some suspect that these powers wish to favour England, but they can do nothing. They all agree that the American question is decided; but say there are so many pretensions against England, that she should be favoured a little. Ireland has carried points for the present, which will be the foundation of a war between them and England hereafter.

Mr. Grenville is at Paris, and after a long time has obtained power to treat with all the belligerent powers; but as the English don't allow us to be a power, they mean to chicane, to raise the stocks, to get money and to lull the sailors into tranquillity, that they may press them without suspicion. I have no faith in the success of this negotiation for peace, but wish I may be deceived.

What is become of the American navy? Is it the system to let it die? This is not prudent. How does your constitution work and your governors, &c. behave? Does all play well like a good instrument of music?

I hope you go to congress again. Jackson and Lovell I find are going. These are good hands; but there is a Parsons that I want to go. If you and Sullivan, Jackson and Lovell, &c. go, Massachusetts will be highly represented. We must send our best men there. That is the great

wheel. The governour himself, councillors, senators, judges, all ought to consider it as honourable to go to congress. We should be very careful to send no mean men there.

I fancy that in America the task will not be difficult. There are three subjects, which ought to be attended to above all things ; finance, a navy, and foreign affairs. These subjects are not yet generally well understood, and their immense importance is not discerned. If we do not maintain an independence in our foreign politics, if we do not avoid frivolity, intrigue and chicane, and rest upon our proper basis, reason and right, our posterity will have reason to regret it for ages, and forever. We shall be made the sport. We are not and never shall be a match for them in pomp and magnificence, intrigues of pleasure, bribes and corruption, and the moment we tolerate this method in our ministers, we are hurried down a torrent. Whereas it is the easiest thing in the world to make ourselves respected, by standing upon national interests.

In time we shall have courage equal to our strength. It is worth while to go abroad, to see by what men this world is governed,—and by what women !

Adieu, my dear friend, remember me.

JOHN ADAMS.

MR. JOHN ADAMS TO MR. GERRY.

PARIS, DEC. 14, 1782.

Thanks be to God, my dear Gerry, that our Tom Cod are safe in spite of the malice of enemies, the finesse of allies, and the mistakes of congress.

The fisheries were attacked through my sides, but they have not been wounded. We have obtained an explicit acknowledgment of our right to all the fisheries, and the most unlimited liberty to catch fish, and liberty to dry them on Nova Sootia, Magdalen Islands, and Labrador. We are only restrained from drying on Newfoundland. This article cost us all the industry, all the skill and address that we were masters of. We omitted no argument to convince the English ministry, that it was their interest to secure it to us. But the argument that depriving us of it would be a certain source of another war, was strengthened a great deal by the evidence there is, that the French minister was very willing that this bone of contention should be left.

Sagadahock is safe too as far as St. Croix. The navigation of the Mississippi and the western lands as far as the great lakes is ours too, unless Spain should defeat us, which I hope will not be.

Was it perceived in America that I was attacked as standing in the way of certain views upon

the western lands and the fishery? And was I given up? Was my commission to make a treaty of commerce with the king of Great Britain attacked, because of my instructions not to make such a treaty without an express article in the treaty of peace acknowledging our right to the fishery? And were congress either so incapable of penetrating into a little finesse, or so indifferent about the fishery? And in the name of God was there a New-England man, or a New-England state, in this predicament? British finesse did not use to impose upon any Americans, much less yankees. French finesse has been more successful for a time, but in the end has been defeated, very fairly and honestly defeated. Undisciplined marines as we were, we were better tacticians than was imagined.

I congratulate you upon the event, and shall ever be your friend.

JOHN ADAMS.

Mr. Gerry.

CHAPTER XXIV.

*Letter from Mr. Dana.....Resumes his Seat in Congress.....
 Letters of J. Adams.....Peace.....Committee to consider its
 Terms.....Interviews between Congress and General Washing-
 ton.....The Minister of France.....The Marquis de la Fa-
 yette.....State of Public Affairs.....Salaries.*

It was not with the consent of his friends that Mr. Gerry withdrew from the calls of the community. Mr. Dana wrote as follows from St. Petersburg, 20th November 1782: "Your letter of 13th June reached me on the 20th of last month, and did my heart much good. The reasons which have held you in private life of late, I can conjecture without an interview with you; but so far from serving for your justification, they operate in my mind strongly against you. You have pointed out enough to me to show that till we have made peace we have but half done our work; and will you, who have taken so distinguished a part in our great revolution, and whom opposition and dangers ever made more zealous and active, retire from public life during the contest, because certain vices too often attendant upon all administrations, seem to be prevalent? No, my friend, you ought to step forth again and labour to rectify what you deem amiss. Perseverance will always gain some-

thing. I have seen striking instances of this in your conduct. Take courage then, and abandon nothing which ought to be maintained. Occasions will present themselves when you may do much good. You can have no right to be in private life in these times. You are an independent citizen of a free republic, and well know the duties which result from such a station in the community."

Yielding to the wishes of personal and political friends, and satisfied at length with the measures adopted on the subject of his remonstrance, Mr. Gerry resumed his seat in the congress of 1783.

MR. ADAMS TO MR. GERRY.

PARIS, AUG. 15, 1783.

MY DEAR FRIEND,

I have heard no news with more pleasure, than that of your design to go again to congress, and nothing I hope has happened to divert you from your purpose. I have lost all my correspondents in congress, and know little what passes there. The journals are not sent us, as I think they ought to be, regularly.

By a letter from Mr. Arthur Lee to my wife, I am informed that the committee had reported in favour of my resignation, and Mr. Lee thought I might depend upon the report being accepted.

But it does not arrive here. We have now a prospect of signing the definitive treaty, in nothing variant from the provisional one, very soon, as the ratifications of the latter are already exchanged, and France, Spain, England and America are agreed. The Dutch, I presume, will sign at the same time, but not with a good will. We have consented that the imperial courts should sign, by their ministers, as mediators, but the English have not yet consented, and probably will not. We are ready to sign, with or without a mediation, as the English please.

I believe the English have been endeavouring to persuade the French and Spaniards to sign without us and the Dutch. Never was there a more foolish project. The comte de Vergennes absolutely refused. Here he showed he had more sense than they. This absurdity of the English is the more astonishing, as the comte de Vergennes had said to Dr. Franklin and Mr. Hartley together, within three days after his arrival here, "*Il faut que nous finissions tous ensemble.*" But they are become a blundering race. The doctrine they now set up is that the provisional treaty was to be, and will be of itself a definitive treaty, the instant the definitive treaty is signed with France, as it became a preliminary treaty, when the preliminaries were signed with France. This doctrine may be true and just, but it is not the less expedient to have the solemnities and forms of a

definitive treaty in our affair, than in that of the other nations.

We have long foreseen that we should not obtain any additional advantages or further explanations in the definitive treaty, from the present ministry. They have committed themselves in parliament, by disapproving the articles, and they stand upon so precarious ground, that making the least concession further to us, without twice its value from us in exchange, would excite a clamour against them, and cost them their places. Thus we have no choice left. We must finish as we began, or not finish at all. Wait another session of parliament, and run all the risks, which accompany delay, at a time when the political horizon is very cloudy.

We have long since made to Mr. Hartley, and he has transmitted a variety of propositions, but his principals have consented to none of them, and we have the best reasons to believe, that this ministry never will, because such consent would lose them their places. Unhappily, when you reason with European ministers of state, you need be less anxious to enquire whether measures are for the good of their country or not, than whether they are likely to preserve or forfeit their places.

If you send a commission to make a treaty with Denmark or Portugal, or any other power, without sending a minister to the court, I wish you

would insert in it all your ministers in Europe, and give the power to all or any number, or any one, who may be upon the spot pointed out for the negotiation, exactly as you have provided in the commission for peace; this is of great importance, and is but exact equity. I think your method should be to resolve upon granting the commission, and then proceed to choose the ministers to be named in it, as you do in all other cases, and let them stand in the commission in the order as they are chosen. I expect myself the acceptance of my resignation, and therefore shall not in that case be one to be inserted, but Mr. Jay, Mr. Laurens and Mr. Dana ought to be inserted, if they stay in Europe, if it is only to show respect to their characters and give reputation to their names. If Mr. Laurens and Mr. Dana go home as well as I, Mr. Jay ought to be inserted, who is very able and very willing to serve you, and who in the present circumstances wants, as well as all your faithful ministers, all the support which congress can give them. You will never have another honest minister trumpeted by the court where he is. Dr. Franklin alone is, and will be trumpeted, by the *commis* at Versailles, and their tools.

Let me beg of you my good friend to write me, and order your letters to be delivered to Mr. Jay, and opened, or burnt by him, as you please, in

case I should be absent from Europe. With great affection your old friend,

JOHN ADAMS.

Elbridge Gerry, Esq.

Again Mr. Adams writes, "more depends on good men at the great wheel than our people at the northward are aware. That is the place to guard against foreign projects, which will address themselves sometimes to aristocratical, sometimes to democratical, and sometimes to military passions and prejudices."

The period of Mr. Gerry's absence had produced great changes in the members of congress, and not less in the manner of conducting public business. Peace took off the excitement, which had formerly produced such devotion to the country, and as the scene of actual hostility was removed, the ready spirit of resistance gradually died away.

It was with difficulty that a quorum of delegates could be convened, and when the requisite number had arrived at the seat of government the business of the session was interrupted, because they were not in their places.

If however the character of public affairs had undergone a change, their importance had in no degree diminished. There was more alarm when

the enemy was at the gate, but not the more danger. The contest had been successful, and the foreign foe was defeated, but domestic enemies, not the less formidable because they were not in military array, multiplied in every quarter of the country. An exhausted people, made so by exertions beyond their ability, were discontented and unhappy. Cities depopulated, towns pillaged, the country laid waste, agriculture deprived of her labourers, navigation obstructed, manufactures and the mechanic arts languishing, violated public faith and imminent national bankruptcy were the new enemies with whom congress had now to contend. But the pomp and circumstance of war, which raise the enthusiasm it requires, no longer martialled them on their way. The whole nation resembled a triumphant army, whose progress after victory may be tracked by the blood even of the conquerors, and the painful spectacle of wounds, hospitals and death.

As congress had before put in requisition the physical resources, they had now to array the moral force of the people, and to bring them in this harder controversy to those indispensable sacrifices, which have the real merit of patriotism without its ostensible reward.

For this their means were as limited as those, by which they had carried on the war. Their power was that of influence, rather than authority ; and their reliance was placed not on their right of

coercion, but on the intelligence and virtue of the people.

Seeing the inefficiency of the government as one of authority, and believing it best it should be so as a security for freedom, a party early arose in the commonwealth, who professed to regard the purity of the public manners as the foundation of national security. They considered the power of the ruler as an antagonist principle to the liberty of the citizen ; and therefore placed their chief hope for the independence they had obtained, not in giving strength to the government, but in preserving a republican spirit in the people. It is by regarding the prevalence of these opinions and the strength of them among the statesmen of that day, that many of their measures can be rightly explained.

The news of the signing the preliminary articles of peace reached congress on 24th March, in a letter from the marquis de la Fayette, always the messenger of good news. When the definitive treaty was laid before that body, it was with singular propriety committed to those of its members, who in 1776 had signed the declaration of independence. Three only remained. Mr. Jefferson the draughtsman of that declaration was chairman of this committee. Mr. Gerry was next named, and after him Mr. Ellery of Rhode-Island. Mr. Read of South-Carolina and Mr. Hawkins of North-Carolina completed the requisite number.

It was the happy fortune of this committee to report to congress, that the objects of their sacrifices were at length accomplished, that the sovereignty, freedom and independence of the United States were recognised, and that the painful struggle, which had thus far attended their existence as a nation, was now happily at an end.

On the day that Mr. Adams signed the definitive treaty in Paris he wrote the following letter.

MR. ADAMS TO MR. GERRY.

PARIS, SEPT. 3, 1783.

MY DEAR MR. GERRY,

The third of September will be more remarkable for the signature of the definitive treaties than for the battle of Naseby or Worcester, or the death of Oliver Cromwell. We could obtain no alteration from the provisional articles. We could obtain no explanation of the articles respecting the tories, nor any limitation respecting interest or execution for debts. I am however less anxious about these things than others.

Our first object is to secure the liberties of our citizens in the separate states. Our second, to maintain and strengthen the confederation. Our third, to purge the minds of our people of their fears, their diffidence of themselves and admiration of strangers ; and our fourth, to defend our-

selves against the wiles of Europe. My apprehensions of the importance of our foreign affairs have been much increased by a residence of five or six years in Europe. I see so much enmity to the principle of our governments, to the purity of our morals, the simplicity of our manners, the honest integrity and sincerity of our hearts, to our contentment with poverty, our love of labour, our affection for liberty and our country ; I see so many proofs of their hatred of all this and of their dread of it, both as a dangerous example among their own corrupted, debauched subjects, and as a sure and certain source of power and grandeur ; I see so many artifices practised to debase every body you send, or who comes to Europe ; so many practised by them in America itself, hidden, covered up, disguised under all shapes ; and I see they will ever have it in their power to practice so many of these arts, and to succeed to such a degree, that I am convinced no pains or expenses should be spared to defend ourselves.

But how shall we defend ourselves ? We cannot refuse to receive foreign ministers from sovereign powers. Shall we recall all our own ministers from Europe ? This is a serious question. I confess I am for the affirmative, and would give my voice for recalling every one, if I could not secure two points. The first is, to send men of independent minds, who will not be tools ; men of virtue and conscience : the second is, to persuade

congress to support them firmly : it is infinitely better to have none in Europe than to have artful, unprincipled impostors, or depraved men. You may depend upon this ; the moment an American minister gives a loose to his passion for women, that moment he is undone ; he is instantly at the mercy of the spies of the court, and the tool of the most profligate of the human race. This will be called pedantry, but it is sacred truth ; and our country will feel it to her sorrow, if she is not aware of it in season. If you make it a principle that your ministers should be agreeable at the court, and have the good word of the courtiers, you are undone. No man will ever be pleasing at a court in general, who is not depraved in his morals or warped from your interests : if therefore you can carry elections for men of pure integrity and unshaken firmness, it will be for your interest to have a number of them at the principal courts of Europe for some time ; two or three years at least : if you cannot, you had better send none. Men of any other character will be called amiable, and be said to be beloved and esteemed, and to have your confidence, but they will be made the instruments of the most insidious and destructive designs upon your liberties : I mean upon your morals and republican virtues, which are the only qualities which can save our country. For myself I don't care a farthing ; the most agreeable thing to me would be to come home. But I

pray one thing only for myself: it is, that you would determine immediately, whether I may come home or not.

It is the true interest of our country to cultivate the friendship of the Dutch. We have nothing to fear from them, as we have from the French and English: it is their policy as well as ours to cultivate peace and neutrality, and we may aid each other in it.

With sincere affection your friend,

JOHN ADAMS.

Mr. Gerry.

The ratification which the committee reported passed by the unanimous vote of congress. Indeed no nation ever terminated a war by a treaty more completely securing all the objects for which it had been commenced. Every point in discussion had been successfully maintained by the American envoys. Not only the existence of the United States as a nation was acknowledged, but their entire claim of territory was admitted; their right to the fisheries was preserved, and the subject of debts and confiscations, which at one time threatened to produce the embarrassments that such questions usually create, was settled in a manner perfectly satisfactory.

It can easily be imagined with what different feelings those of the committee, who had signed

the declaration of independence now recommended the proper signature to this treaty of peace.

Besides the great satisfaction derived from the successful termination of their principal labours, there were other scenes of joy, in which the members of the congress of 1783 were called to participate, and which by contrast with the times of their first efforts for liberty, must have made a most vivid impression on their minds.

The commander of the American army was invited, at a public reception by this congress, to listen to their grateful acknowledgments for his services in acquiring and establishing the freedom and independence of his country, and to witness their solemn thanksgiving to providence for preserving during all the vicissitudes of war his invaluable life. He was received by congress with that profound respect, which became the representatives of a great people towards the patriot leader of their arms, and requested, with a sincerity that ensured success, still to continue the aid of his talents and experience in forming arrangements which would become necessary in time of peace. Peace! How different the sound from the engagements, which had called him to his eminent situation.

Conquerors in every age of the world have exhausted their invention to find means of honour and reward. Ovations, triumphs, arches, monuments, the pageantry of wealth, the spoils of vic-

tory, the humiliation of the vanquished, the uproar and huzzas of the populace, have borne their car of victory, while the splendour of their achievements has not unfrequently eventuated in the ruin of the people in whose service their fame has been acquired. The reward bestowed on the general of the revolution is proposed to him by the unanimous voice of the representatives of the people, and has all its glory in the moral sublimity of the scene. They receive him as their military champion. They congratulate him on having accomplished the great work they had given him to do. They thank God that in doing it his life had been preserved to his country. They invite him to remain yet a little longer in their service, with a confidence that the civil is the superiour power, and that the obligations of the citizen are not forgotten by the soldier.

This reward, as imperishable as the records of the war, accords well with the unostentatious manners of the republic. The general accepts it with a dignity and a modesty, which unite only in the character of Washington. In a reply to the president's address, he refers to the wisdom of the public councils, the firmness of the citizens and the patience and bravery of the troops, as the causes, which under the Divine interposition, had produced the then happy result, and would continue to be the presage of future happiness. He acknowledges the favourable sentiments of con-

gress, and the confidence and affection of his fellow citizens, as an ample remuneration for his own exertions; and while he accedes to the request to continue in the public service until arrangements for peace are prepared, proposes on that event to ask permission to retire to the shade of private life.

Shortly after this interesting interview, the minister of the court of France, who had resided near congress since the alliance, and whose zeal, prudence and courtesy had entitled him to their high regard, announced his recall. On this occasion congress addressed him by letter, prepared by a committee of which Mr. Gerry was chairman, in which they say, "That they consider it a fortunate circumstance, that the affairs of his most christian majesty in this quarter, have been under the direction of an able and faithful minister, whose anxiety to promote the views and interests of his sovereign has been attended with a laudable desire to reconcile them with those of his allies. Without such a disposition it is evident there could not have existed a concert of those measures, which by the smiles of providence have hastened the conclusion of the late distressing war. They commend him to the consideration of his sovereign, whose favour he had deserved, and pray that he may have a happy interview with his family and friends."

At a later period the marquis de la Fayette

communicated his intention to return home, on which occasion a grand committee of one member from each state, was deputed to take leave of him, and to assure him of the high sense congress continue to entertain of his abilities and zeal to promote the welfare of the United States, both here and in Europe, which they have frequently expressed and manifested on former occasions, and which his recent attention to their commercial and other interests, have perfectly confirmed. And that as his uniform and unceasing attachment to this country has resembled that of a patriotic citizen, the United States regard him with particular affection, and will not cease to feel an interest in whatever may concern his honour and prosperity, and that their best and kindest wishes will always attend him.

But the most imposing scene was that of 23d December 1783, when according to previous arrangement the commander in chief, at a public audience, surrendered to congress the trust committed to him, and claimed the indulgence of retiring from the service of his country. "The emotions too affecting for utterance," with which this triumph of principle, of virtue and of patriotism was received by the members of that illustrious assembly, have claimed the homage of the historian, the painter and the poet, and more than realized the fabled grandeur of the Roman senate, when "its authority comprehended the fairest

part of the earth, and the most civilized portion of mankind."

Opportunities for the indulgence of gratulation or pleasure were however of brief continuance with the statesmen of 1783. When the few moments which were devoted to joy at the successful termination of their labours had passed away; when the first emotions of triumph and self satisfaction at the establishment of peace had subsided, the calmer view which they were enabled to take of public affairs, was calculated to fill them with trouble and alarm.

The situation of public credit, the duty of complying with those pecuniary obligations, which congress in behalf of the nation had incurred, and the entire want of power to acquire the necessary means, were first on a long list of difficulties, to which the attention of congress was required. The result of an anxious deliberation on these matters, was a resolve on 18th April 1783, recommending to the several states, as indispensably necessary to the restoration of public credit and to the punctual and honourable discharge of the public debts, to invest in the United States in congress assembled a power to levy for the use of the United States, specific duties on certain enumerated goods imported into said states from any foreign port, and duties ad valorem upon others. The collectors of these duties were to be appointed by the states respectively, and the revenues by

them collected were to be carried to the separate credit of the states within which they were collected.

The propriety of this requisition was set forth in an elaborate address to the states, in which the estimated debt of the revolution is called forty-two million three hundred seventy-five dollars; the annual interest \$2,415,956; the proceeds of the proposed impost \$915,956; the balance of interest \$1,500,000, to be provided for as the states may deem best.

In addition to the claims of justice for the payment of this debt, the character of the creditors is referred to. They are enumerated, first an ally, who to important loans added liberal donations, and whose loans themselves carry the impression of magnanimity and friendship. 2dly, individuals in a foreign country, who were the first to give so precious a token of their confidence in our justice, and of their friendship in our cause. 3dly, that illustrious and patriotic band of fellow citizens, whose blood and whose bravery have defended the liberties of their country, who have patiently borne among other distresses the privation of their stipends, whilst the distresses of their country disabled it from bestowing them, and who even now ask for no more than such a portion of their dues as will enable them to retire from the field of victory and glory into the bosom of peace and private citizenship, and for such effectual security for the

residue of their claims as their country is now unquestionably able to provide. The residue of the public creditors were stated to be those citizens of the United States who had lent property to the country, or the assigns of such original creditors, and such others as had had their property taken for the public use.

If the levying a tax by force of law is found by experience to be the most unpopular act of authority, the obtaining one by voluntary assessment seems the least flattering subject of political experiment. There were to the success of this application very formidable obstacles.

The country was exhausted. Its intrinsic resources and the elasticity of its power were unknown. Its future rapid accumulation of materials was not anticipated. Ancient habits had been interrupted by the war; new ones were not yet formed, and among the people were some, who in a restless spirit of disquietude were ready to exclaim with the Israelites, that it had been better for them to have served the Egyptians than to have been brought out to die in the wilderness.

There prevailed among many classes of the community great doubt of the justice of the debt itself; not indeed that the present creditors had not a valid claim, but that others, and among such many who were to contribute to the common fund, had equal demands in equity, which never could be satisfied. In the rapid and sometimes instan-

taneous depression of public paper, he who had sold goods even at a high price, could not replace them for double the amount received. In every successive transfer of government securities, loss more or less severe had most generally been experienced, and it became difficult to reconcile to the comprehension of the citizens the justice of that rule, which secured to the last holder the full value of the public paper he possessed, when probably his original interest in it was less than many of his neighbours. In the advance created by this uncertain paper in the price of all the necessities of life, by the scarcity of some articles and the loss upon others, many had spent their fortune and were now comparatively poor, without any claim upon the public. The property of some citizens had in the progress of the war been ravaged or destroyed by the enemy, and these could see no fairness in a rule, which should pay their neighbour for what was taken by the American forces, and leave them to bear unrequited the sufferings, which they had been obliged to sustain.

The army, great as were its merits and severe as had been its sufferings, did not come in for an unquestioned right to the benefit of public creditors. When they told their tale of misery, if it was not listened to with an incredulous ear, something like an account in off-set was filed by the hearer, as if his own unsettled or uncompensated injuries might reasonably excuse him from contri-

buting to the indemnity of any one else. The story of the officers was put indeed in plain language, and could not be denied. Our distresses, say they, in a memorial to congress, which was annexed to the proposal for an impost and sent to the states, our distresses are now brought to a point. We have borne all that men can bear, our property is expended, our private resources are at an end, and our friends are wearied out and disgusted with our incessant applications. Whenever there has been any real want of means, any deficiency in system or defect in execution in the departments of the army, we have invariably been the sufferers by hunger and nakedness and by languishing in a hospital.

But the citizen, to whom this recital of suffering was repeated, could recount the distresses of civil life, for which he had not even the poor satisfaction of asking compensation. To the claim of patriotism he would probably allege his own sacrifice in having had a son or brother or father in the ranks, whose bones still bleached on some unfortunate field, or he had himself served in a civil capacity not the less useful ; or been called out to take his musket in some of those numberless alarms, which assembled the whole population without pay, rations or thanks. When the evils of the times had hung like a cloud on the whole community, every man had laid his sacrifice on the

altar of patriotism, in the hope to appease the genius of the storm.

As to personal loss the citizen complained that his property had been taken for taxes, while others instead of contributing to the common fund had exhausted it. His employments had ceased, and idleness had brought upon him all the privations of military life without its honours, and afflicted him with the poverty of the soldier without his rank.*

The mode of raising a revenue, when even it is admitted that one must be raised, is a fruitful subject of complaint. It was so here. Any plan, which was to operate by an uniform rule over such dissimilar communities as the states were in 1783, must obviously be liable to well-founded objections ; but some that were urged against the one proposed by congress now appear to have been exceedingly fanciful. Rhode-Island among other reasons for denying the right of impost alleged that the resolution proposes to introduce into that and the other states officers unknown and unaccountable to them, and so is against the constitution of

* There had been great difficulty to get men to enlist in the army. They who could go availed themselves of the distresses of those who could not, by demanding bounties that were afterwards remembered as excessive. At one period, in Massachusetts, the recruit received as a bounty from the continent 6*l.*, from the state 20*l.*, and in addition to all this the towns paid from 20 to 30*l.* Many who got large bounties a short time before the close of the war returned richer than their neighbours. Mr. Phillips' letter, page 256, gives some account of this management.

the state. "That by granting congress a power to collect money from the commerce of these states indefinitely as to time and quantity, and for the expenditure of which they are not accountable to the states, they would become independent of their constituents, and so the proposed impost is repugnant to the liberty of the United States."

But the most formidable objection was made by Massachusetts. In a letter addressed to congress by the legislature of that state on 11th June 1783, it is said that they have not been able to agree in granting to the United States an impost duty agreeably to the recommendation of congress, "because of those measures of congress which are extremely opposite and irritating to the principles and feelings, which the people of some of the eastern states, and of this in particular, inherit from their ancestors."

The measures complained of were the half pay granted to the officers of the army ; the subsequent commutation of that half pay, and the salaries allowed to the civil officers of congress.

On the first subject of grievance the Massachusetts legislature used the following language. "The general court are sensible that by the confederation the United States, in congress assembled, are vested with a discretionary power to make provision for the support and payment of the army, and such civil officers as may be necessary for managing the general affairs of the United States : but

in making such provision, due regard ever ought to be had to the welfare and happiness of the people, the rules of equity and the spirit and design of the confederation.

We cannot on this occasion avoid saying with due respect, we are of opinion those principles were not duly attended to in the grant of half pay to the officers of the army ; that being in our opinion a grant of more than an adequate reward for their services, and inconsistent with that equality which ought to subsist among citizens of free and republican states. Such a measure appears to be calculated to raise and exalt some citizens in wealth and grandeur, to the injury and oppression of others, even if the inequality which will happen among the officers of the army who have performed from one to eight years' service should not be taken into the consideration."

Massachusetts was at that time represented by men whose political creed held as a leading article, that economy was one of the cardinal virtues of a republic ; but they were too intelligent statesmen not to see that a past unthriftiness of expenditure could not discharge the imperious duty of providing for the public debt ; and however unwilling they were to provide for what was then considered a lavish use of the public means, they could not consent to produce the additional evil of a violation of the public faith.

The committee to whom the letter from Mas-

Massachusetts was referred reported in detail their objections to its doctrines. They justified the grant of half pay, on the score as well of policy as justice, and of the commutation as a matter of calculation and prudence; but they added, as a conclusive argument against any revision, that these measures were constitutionally and finally adopted, and of course not now within the arbitration of congress.

When the report was under consideration, a motion prevailed to strike out the words "constitutionally and." By this amendment a doubt at least was implied, of the right of congress to have adopted the objectionable measure. The report thus amended was agreed to. On the final question the Massachusetts delegation did not vote. Constituted as congress was, they could not as delegates oppose the measures of their state, nor as statesmen accede to their propriety. In a letter drawn up by Mr. Gerry and addressed to the corresponding committee of the Massachusetts legislature the delegates use the following language.

"Congress have assigned their reasons for not complying with the desires of the legislature. They allege that the promise of half pay for life was made in the year 1780, prior to the existence of the present congress, or indeed of any congress assembled in pursuance of the confederation, and is therefore considered to be under the sanction of the 12th article, which provides that all bills of

credit emitted, monies borrowed or debts contracted by or under the authority of congress, before the assembling of the United States in pursuance of the present confederation, shall be deemed and considered a charge against the United States; for payment and satisfaction whereof the said United States and the public faith are thereby solemnly pledged. The grant therefore has created a debt, and for the payment of this debt the officers have the faith of the country, that not only is this an engagement which can never be recalled, but an attempt to recall it would sap the foundation of public credit.

Among the salaries of the civil officers of congress, which formed part of the subject of complaint in the Massachusetts memorial, were those paid the foreign ministers of the United States; while these officers on their part complained that the allowance made to them was not sufficient to prevent the sacrifice of their private fortune. Some letters to Mr. Gerry from these agents of the country will explain the unreasonableness of quarrelling with their compensation. Mr. Adams lived at Auteuil, near Paris, and thus writes.

MR. ADAMS TO MR. GERRY.

AUTEUIL, SEPT. 9, 1783.

* * * In Europe, appearance is every thing.
What you allow me I shall expend, but you know

that I cannot expend any more. When I was first in Holland I used to make visits with one footman behind my coach. The plainest republicans, the severest of them all, came to me to remonstrate. "Mr. Adams," said they, "you must never make a visit with less than two servants in livery behind your coach. You can neither keep up your own reputation with our people, nor that of your country, nor our reputation who associate with you and call you the American minister, without it." '*C'est trop en bourgeois.*' This is the fact: it is seen and felt by every one.

The foreign ministers at European courts may be divided into three classes. First, noblemen of high rank and great fortune in their countries, who have six, eight or ten thousand pounds from their courts; some of whom are supposed to spend as much more out of their private fortunes. These are commonly more fit for parade than any thing else, or have particular reasons for wishing to live out of their own countries, or whose courts have such reasons for wishing them away. Secondly, others who have smaller salaries, but still handsome ones, and who spend twice as much, which they acquire by speculations in stocks, by making use of their prerogatives in saving duties upon goods, even by secret connexions with smugglers, by gaming, and many other ways equally unfit to mention or suspect. All these practices have been used, and perhaps are still. But congress ought

to execrate and condemn, in the most decided manner, every such thing in their ministers. Thirdly, there are others, who have honourable salaries, spend them honourably, and are industrious and attentive to the rights and honour of their country and their masters. Such and such only ought to be the American ministers. The present allowance to your ministers, with an addition of three hundred a year for a clerk, is in my opinion as little as will possibly bear; for, besides all the expensive articles of house, coach, livery servants, domestic servants, presents to the servants at courts, and the pilferings of servants, tradesmen, shopkeepers, &c., a great and inevitable deduction, your ministers must keep a handsome table, suitable to entertain genteel company at all times, and great company very often.

With great esteem and sincere affection,

Your friend,

JOHN ADAMS.

The same subject is again alluded to in a letter from the same gentleman of December 12, 1783.

* * * * There is a limitation which will shackle us very much. You have reduced our salaries so low, that it is absolutely impossible for us to live in character and see the company which it is your interest we should see. You have never allowed us any thing as all other nations do to furnish

house and table. Is it your interest to give yourselves and your representatives in Europe an air of meanness below the ministers of every petty sovereign, nay below common merchants and ordinary housekeepers, and I might say below the genteel girls of the town?

* * * *


* * * * I know that nobody in America has any idea of the expenses among the great in all these countries. None of your ministers have ever been able to receive such company as they ought, even when your allowance was most liberal; now it is totally impossible. This was overlooked and excused in the heat of war, and when our existence was a problem; but it will be criticised every where, and by every body, now we are at peace and rest.

To talk as some have done of obliging American ambassadors to live at courts in Europe in the simplicity and frugality of ancient Romans, in the purest republican times before luxury existed, is to rant and rave. Nobody in Europe has any idea, or can form any conception of such manners; and if they could, they would entertain no other sentiments of them than contempt, ridicule, or abhorrence. But what makes it worse, the Americans who travel appear in great splendour; some of them, private gentlemen, living at an expense of double the sum you allow your ambassadors, and travellers of all nations, who return from America,

report the great expense in which many private gentlemen live in Boston, New-York, Philadelphia, &c. all which conspires to make our situation in Europe very disagreeable. I can live and be happy on Pen's Hill on a hundred a year, but I cannot live upon two thousand a year in any country of Europe as a public minister without being unhappy, because I can't live in character, and because I expose myself and my country to very cutting reflections and insinuations.

There is at the Hague a Mr. Magis, envoy from the bishop of Liege. One day at dinner at the Spanish ambassador's he told me he had been there thirty years. It is thirty years, says he, that I have been eating ambassadors. They always invite me to their entertainments, and I always accept. I have never had any appointment that enabled me to return their civilities. *Mais J'ai toujours mangé des ambassadors.* Liege may be equal to a county in America, and is defended as an electorate of the empire; but it will not be for the honour or safety of the United States for their ministers "to eat ambassadors for thirty years" without returning the civility. We must be eaten in our turn.

You will think I have been too long in Europe, and that I am infected with the manners of this country; if you do, call me home and send others. I assure you I had rather be at home. There I can live upon as little as any of you; here I can-



not. And those you send in my place, will find that they cannot.

It is time to finish this tedious letter. Adieu, my friend, adieu.

JOHN ADAMS.

The Hon. Mr. Gerry.

Having inserted these letters of complaint, it is but justice to their eminent writer to add an extract from another of subsequent date:—

* * * * I beg you would give yourself no anxiety about salaries. I think the reduction of them wrong. I don't find that the articles of subsistence are cheaper since the peace; the hire of horses and carriages is the same; the rent of houses, servants' wages, &c. are the same. We have more to do with foreign ministers and are more taken notice of by them; but upon the present allowance we can keep no tables nor see any company in the fashion of public ministers. Retirement is more agreeable to me than company, but it is not for the interest of the public. I am told it is reported, that I have one per cent. allowed me upon the loan in Holland, and that a sum of money is always given upon the signature of a treaty. This upon my honour is totally false. Of all the immense sums borrowed under my name, not one farthing ever came to my benefit, nor have I

ever received a farthing for myself in any way but the salary you have allowed me. Many will call me a fool, because they know I have been in a situation where I might have made profits ; but such are my sentiments. My head and my heart have been too full of the public to think much of myself or my children. * * *

* * *

While the delegates of Massachusetts allowed the report of the committee adverse to the representation of their state to be accepted, they took a more practical way to reconcile the opinions of their fellow-citizens to the measures proposed by congress. Mr. Gerry, as chairman of a committee on the civil list, reported sundry alterations in the public expenditure, which were adopted ; and the recommendation of congress concerning an impost, after encountering opposition from other causes, was finally acceded to.

The session of congress terminated on 3d June 1784. The journals of its proceedings testify to the diligence and labour of the delegate from Massachusetts. He discovered the assiduity of a man of real business. In whatever department work was to be performed, he was counted upon as one of the efficient agents by whom it was to be conducted. Scarcely a committee was raised, in which he was not called to bear an important part.

To have been distinguished in the congress of 1783-84, was no common honour. The assembly which concluded peace with Great Britain, was not inferior in character or talents to the great convention of 1776. Virginia had her Jefferson and Lee, and then added Monroe, whose integrity and diligence gave promise of the future eminence he was destined to attain. Maryland had to M^r Henry joined Chase,* confident in his strength and trusting to his own resources for that display of mind which never failed to interest his hearers, and who even then enlivened the tediousness of debate by that caustic severity of remark, which at a future day brought down upon him the resentment of political opponents. The historian of

* Afterwards one of the associate justices of the supreme court of the United States. Judge Chase was impeached in the year 1804, and tried before the senate. On some of the charges a majority voted against him, but not the constitutional number required to remove him. His subsequent continuance on the bench displayed the singular inconsistency of a judge administering the laws, who had been pronounced guilty of high crimes and misdemeanours by a majority of the first department of the government. Posterity, in the language of one of his eloquent counsel, has re-judged that decision. The political offences, for which he was arraigned, are not in the bill of indictment. The trial, including the accurate and technical enumeration of the charges by the managers of the house of representatives, the acute, logical and triumphant answer of the accused, the business style of argument and the caustic severity of the attack, and the eloquence, bold, spirited, pathetic and convincing, of the defence, may well compare in the talents it displayed, with the celebrated proceedings of a similar character in the only other country where such a trial could be had.

North-Carolina added his stores of learning, not the less interesting from the eccentricity of his manners ; and Massachusetts, in addition to the experience and industry of her Gerry, presented the learning, the acuteness and penetration of her future chief justice, just returned from an interesting mission to the court of Russia, and carrying into the councils of his country those lessons of political wisdom, which his capacious and investigating mind had gathered in the course of extensive professional engagements at home and new opportunity of observation abroad.

CHAPTER XXV.

Correspondence of the Delegates.....Questions arising from the Treaty of Peace.....Cincinnati.....Letters concerning that Institution.....Military Establishment.

THE assembly of statesmen, who in the congress of 1783 conducted the executive and legislative concerns of the United States, continued to act more in the capacity of ministers from independent sovereignties than as the council of a single nation. That the good of the parts could be best promoted by the welfare of the whole, seemed a principle more generally acceded to in theory than adopted in practice. That the states had common duties, obligations and objects, and a common weakness which rendered union indispensable for security, were obvious facts; but that they had diverse, separate and sometimes conflicting interests, was beginning to be felt now that the pressure of a foreign enemy was taken off, and more steady attention given to domestic concerns.

Each state had on all occasions one vote without regard to its population or the number of its delegates, provided only that the number of delegates to whom it had confided the power of giving such vote were present for the purpose. Each

state was, therefore, on the floor of congress on a perfect equality. Each state continued to pay the expenses of its own delegation in its own way, so that off the floor of congress the personal equality of the members was destroyed. The states themselves exercised the same right of direction to their members as congress itself exercised towards its diplomatic agents abroad.

In Massachusetts at one time the delegates were ordered to correspond with the governor, and to write to him at least once a fortnight. On 11th July 1783, a committee was appointed by the legislature to correspond with the delegates, who were expected to be minute in their accounts not only of what was done but of what was omitted to be done by congress. The appointment of this committee was officially announced to the delegates, and followed by the following letter.

MR. SAMUEL ADAMS TO MR. GERRY.

Boston, Sept. 9, 1783.

MY DEAR SIR,

This is the first letter I have been able to write since I had the pleasure of seeing you, excepting a short one to our delegates, informing them that the general court had appointed a committee to correspond with them. Mr. Appleton and Mr. Rowe are my colleagues in this business. The

correspondence is to be very extensive. "Any other important matter which relates to the being and welfare of the United States!" My bodily illness has prevented my engaging in it. I wish the delegates would begin. The welfare, and perhaps the being of the United States, in my opinion, depends much upon congress possessing the confidence of the people at large; that upon the administration of public affairs being manifestly grounded upon principles of equality and justice, or upon the people being assured that congress merit their confidence. The war is now over, and the people turn their eyes to the disposition of their money, a subject, which I hope congress will always have so clear a knowledge of, as to be able at any time to satisfy the rational enquiries of the people. To prevent groundless jealousies, it seems necessary not only that the principal in that department should himself be immaculate, but that care should be taken that no persons be admitted to his confidence but such as have the entire confidence of the people. Should a suspicion prevail that our high treasurer suffers men of bad principles or of no principles to be about him and employed by him, the fidelity of congress itself would be suspected, and a total loss of confidence would follow. I am much concerned for the reputation of congress, and have laboured to support it because that body is and must be the cement of the union of the states. I hope, therefore, they will

always make it evident to reasonable men that their administration merits the public applause. Will they be able to do this, if they should cease to be very watchful over men whom they trust in great departments, especially those who have the disposition of the public moneys? Power will follow the possession of money, even when it is known that it is not the possessor's property. So fascinating are riches in the eyes of mankind! Were our financier, I was going to say, even an angel from heaven, I hope he will never have so much influence as to gain the ascendancy over congress, which the first lord of the treasury has long had over the parliament of Britain; long enough to effect the ruin of that nation. These are the fears which I expressed in congress when the department was first instituted. I was told, that the breath of congress could annihilate the financier; but I replied, that the time might come, and if they were not careful it certainly would, when even congress would not dare to blow that breath. Whether these fears are the mere creatures of the imagination you will judge.

My regards to Dr. Holten and Mr. Higgen-son, if he is still in congress. Pray write to me often.

Adieu.

SAMUEL ADAMS.

Hon. Elbridge Gerry.

The delegates, who arranged among themselves the periods of their attendance at congress, never left the state or returned to it without communicating the fact to the legislature, and in a personal interview or by letter giving information of the past, or receiving instructions for their future conduct. The implicit recognition of this diplomatic character is contained in a letter of Messrs. Gerry, Holten and King, of 18th August 1794, in language, which shows that at that period it was not the subject of discussion.

"We have delayed," the letter proceeds, "any communication with congress upon the subject of your letters, with an intention to state to your excellency our sentiments upon the probable tendency and consequences of the measure, should it be adopted by congress and acceded to by the states.

"We are sensible that our duty points to a prompt obedience to the acts and instructions of the legislature; but if a case arises, wherein we discover most clearly consequences so fatal, that had they been known, perhaps, the measure adopted would not have been proposed, it may not be improper to delay a final execution until we have the further instructions of the legislature, after such pernicious consequences of the measure shall have been submitted to them.

"But this may be a questionable opinion; we will therefore ask the advice of the supreme ex-

ecutive ; and that they may know our situation, we will communicate our sentiments for the revision of the court."

There was a curious sequel to the appointment of a committee of correspondence by the Massachusetts legislature. On 11th September 1788, Mr. Gerry, in behalf of the delegates, addressed a long letter to the committee upon the arrangements proposed in congress concerning the old emissions of paper money, the half pay and commutation, and the reduction of the civil list, with a summary of the arguments in congress on both sides of the propositions before them. In this letter he further states that in 1780, congress finding that their bills of credit had depreciated, ascertained their value, made an apportionment for the express purpose of sinking them, and assessed this on the several states ; that such an apportionment was in effect as far as it went, an apportionment of the national debt. That Massachusetts complied with the requisition, and had thereby paid this part of their quota ; and if other states had done the like, the depreciation could never have gone beyond seventy-five for one ; that at that rate the money was current a day or two in Massachusetts, and large quantities were received from the inhabitants of other states without notice of its failure, the loss of which fell on our own citizens, and therefore the delegates distinctly intimate that whatever may be the abstract

propriety of an impost for supplying the continental treasury ; yet as the only mode for one state to secure redress for grievances by the union was to withhold supplies, it was prudent to delay the proposed impost until arrangements were effected, and that they had given such opinion to congress.

This letter, which was strictly official, was yet written with the freedom and fulness, which became the agents of the state in their address to the body which appointed them, and was received by the committee in due course of mail, but never communicated to the legislature.

The omission at first subjected the delegates to reproach for neglect, but when the truth was made known the whole legislature were in a flame. A committee of investigation was appointed, who summoned the delinquent committee before them. These were Mr. Adams the president of the senate, Mr. Appleton and Mr. Roe, members of the house from Boston.

Mr. Roe denied all knowledge of the delegates' letter, and it appearing that it had never been in his hands, he was exonerated from any blame. Mr. Adams, as a reason for not communicating the letter, which he acknowledged that he had received, alleged his feeble health, the pressure of business upon him as president of the senate, and the recent examination of Mr. Higginson, which he thought superseded the necessity of any further information. Mr. Appleton admitted that he had

read the letter, which was handed to him by Mr. Adams, but the committee never having been together, when he had read it he put it in his pocket and thought no more about it! He did not conceive it was incumbent on him to communicate the letter to the house, but that the chairman, Mr. Adams, to whom alone he was answerable, would take proper measures for its publication.

The house voted Mr. Appleton's excuse unsatisfactory, and at the ensuing election he lost his seat. The friends of Mr. Adams barely succeeded in saving him from reproof. There was a debt of gratitude due to him for past services, which was allowed to satisfy the penalty of this offence. But it was with much difficulty that he maintained his place in the senate.

The subject was used with great effect at the polls of the following year, but independently of the neglect of duty, which the house had great reason to blame, the suppression does not appear to have produced any material consequence.

Mr. Higgenson, giving an account of the matter to Mr. Gerry, says, "The suppression of our letter has produced a great fermentation. It has much hurt our friend Mr. S. Adams and ruined Mr. Appleton's public course. I thought it very imprudent and unfair in them, and told them so; but they were afraid it would have hurt their darling child, the continental impost bill. Many of the members say, that had it not been suppressed the

act would not have passed. Mr. S—— declares he should have opposed it had the letter been communicated ; but I do not believe him, having heard him deliver two very serious and opposite opinions before, on the same question.”

Mr. Adams himself thus explains it to Mr. Gerry. “Your letter of 11th September, directed to the committee, was through mere forgetfulness omitted to be communicated in season. This was attributed to an abominable design to withhold from the court the sentiment of the delegates respecting the expediency of refusing to yield supplies to the continental treasury till justice should be done with regard to the old money now in our public treasury and private hands. I could not help diverting myself with the ebullition of apparent zeal for the public good on this occasion ; and upon its being said by a gentleman in senate that it was the subject of warm conversation among the people without doors, I observed that the clamour would undoubtedly subside on the afternoon of the first Monday in April next.”

The return of peace, grateful as it must have been to the wearied citizens of the United States, did not bring with it an exemption from anxiety.

The people of Massachusetts found cause of alarm in that article of the treaty which related to the refugees ; in the proceedings of the officers of the army establishing the society of Cincinnatus ; in the propositions before congress for maintaining

a military force, although it was limited to the mere preservation of the forts, arsenals, public property and the personal security of agents to the Indian tribes; in the unsettled, perplexed and disheartening condition of the public credit; in the unequal operation of means for supplying the national treasury, and the reluctant efforts by which they were called forth. These various subjects and others connected with them, excited in a greater or less degree similar feelings of apprehension in every part of the confederacy. Fearful and portentous clouds still lowered in the political sky, filling the minds of intelligent patriots with solicitude and alarm.

When the provisions of the treaty of peace concerning refugees and the confiscation of property came to be better understood, the faith of the nation was in no respect violated by any act of Massachusetts.

A committee had in the first instance reported, that none who had borne arms against the United States, or lent money to the enemy to carry on the war, should ever be permitted to return into the state; but a spirit of greater indulgence finally prevailed.*

A more debatable and angry subject of alarm existed in the institution of the Cincinnati. This convention of military citizens, which at the pre-

* Report on the files of the general court, March 16th, 1784, Samuel Adams, chairman.

sent day is beheld with veneration and respect, whose weakness and not their power excites the public sympathy; whose devotion to their country's service in the gloomiest hours should have been their guaranty for future patriotism, and secured their gallant names from reproach, every where and among the most experienced and intelligent of their fellow-citizens were looked upon with unaffected displeasure and distrust.

The order of Cincinnati according to its original plan was to consist of the surviving officers of the regular line of the army. They were to be formed into state societies, and deputies from these local associations were to assemble in general congress. The order was to be hereditary on the principle of primogeniture. Members were to be designated by a medal and ribbon. Foreign officers, who had served in the American army, and native citizens elected by ballot, were to become honorary members. A permanent and unlimited fund was to be provided by assessment, donation and devise.

Such was the constitution of a society, which at its commencement divided the opinions of the community, and shook the whole country with the violence of dissention. That it was a military combination was in itself a sufficient cause of jealousy. The stern republicans of the United States had been educated in strong feelings of dislike to a standing military force; they had expe-

rienced from the day of the Boston massacre in 1770 the misery that marched in its train ; they had learned in the dear school of experience how feeble were the barriers, which law and the forms of civil life could interpose against its rapacity, and in their view it was enough that this was a confederacy of military men in time of peace to bring upon it their denunciation and abhorrence.

But in the eye of those, who had conducted the civil departments of government, this association was formed with the design of arrogating for the military power of the revolution all the glory of that splendid achievement. They who spread an alarm at the proposed establishment of this separate order, may without imputation on the purity of their motives be supposed to have had some of their hostility excited by the exclusive honour which it seemed to them too ostentatiously to assume. The civil and military chieftains of the revolution had each done their appropriate duty ; had each borne their part in the common danger ; had each been called to varieties of suffering, and had entitled themselves to divide with each other the laurels of victory. But this military association, it was feared, would claim a monopoly of honour. They, who had devoted their best days to the civil service of the United States, must in the progress of time be scattered, and might be easily forgotten ; but these military men with swords in their hands and ribbons at their bosom would fill

the public eye, command the public resources, control the public will, and possess themselves of all the glory to be bestowed in future ages on the architects of the American empire.

Jealousy always magnifies the objects of its fear. Perhaps by doing so on the present occasion it roused an opposition that controlled the anticipated evils. Time has shown them to be ideal. We look back, if not to wonder at the existence of such apprehensions, certainly with satisfaction that they have not been realized.

Mr. Gerry entered into all the opposition that this novel institution excited. In communicating to his correspondents from time to time his objections to the establishment, he appears to have considered that its separate societies and general convention were the organization of a parallel power with the legislatures of the states and the congress of the union, and that such institutions, unknown to the constitution, could not be necessary for the public good, and could not exist together without rivalry and collision; that in assuming to raise funds and receive donations, without the authority of the government, to an indefinite amount, the institution, however laudable the purposes intended by it, would in the natural progress of things promote such as were unlawful and dangerous; that the military habits of the associates, who had for a long time been detached from the maxims and manners of civil life, would

establish a public sentiment injurious to the civil order of society; that the admission of foreign military officers attached to a government essentially different in form and principle from the republican institutions of the United States, was a dangerous feature in the new society; that the hereditary character and ostentatious decorations of the institution were in direct hostility to our forms of government, and to the letter of the confederation; and that even the gratitude, which the country now felt to the members of the society, would be converted to the injury of the republic, inasmuch as the distinction of families with hereditary honours might, in process of time and by means of this natural feeling, lead the way for the usual powers of an established nobility.

These and similar reasons were urged with great zeal by Mr. Gerry on his friends in the legislature of Massachusetts, and were enforced by his colleagues and other men whose opinions the legislature were in the habit of respecting. They had such weight that the general court resolved, "that the society was unjustifiable, and if not properly discountenanced might be dangerous to the peace, liberty and safety of the United States in general, and this state in particular."

Mr. Gerry's opinions concerning the society of Cincinnati were reiterated by most of his correspondents.

MR. JAY TO MR. GERRY.

PARIS, FEB. 19, 1784.

DEAR SIR,

It was not until last week that your favour of the 24th November last reached me. I am glad to find it dated at Philadelphia, as that circumstance leads me to suppose you are again serving our country in congress. It is of the last importance that our federal head should constantly be a wise one, and that every art to diminish its respectability should be fruitless. A report prevails that Connecticut will not acquiesce in the late decision of her controversy with Pennsylvania. They who fear our being a united and consequently a formidable people (and I can hardly tell who do not fear it) rejoice at this intelligence. Some of our best friends think the order of Cincinnatus will eventually divide us into two mighty factions. The permission of the king of France for his officers to be of that order was asked, but the like compliment was not paid to our own sovereign. The king has consented without having requested the opinion of congress on the subject that I can learn. We wish to receive a ratification of the treaty of peace, and I hope that every article in it will be scrupulously adhered to on our part.

With sincere regard and esteem I am, dear sir,
your most obedient servant,

JOHN JAY.

MR. S. ADAMS TO MR. GERRY.

BOSTON, APRIL 19, 1784.

MY DEAR SIR,

Mr. Higgenson was so obliging as to show me your letter to him dated the 4th of March. I was happy in having adopted an opinion of the Cincinnati so similar to what I found your's to be. I think I am as sensible as any man ought to be of the important services of our late army, and am very desirous that their full share of merit may be gratefully acknowledged and rewarded by the country. This would have been done (for the prejudice of the people against the gratuity of five years' pay began to subside,) had they not adopted a plan so disgusting to the common feeling. It appears wonderful that they could imagine that a people who had freely spent their blood and treasure in support of their equal rights and liberties could so soon be reconciled to the odious hereditary distinction of families. This country must be to a great degree humiliated and debased before they will patiently bear to see individuals stalking with their assumed honorary badges, and proudly boasting, "These are the distinctions of *our* blood." I cannot think that many of our officers entertained such an idea of haughty pre-eminence; but the human mind is so captivated with the thought of being elevated above the ignoble

vulgar, that their sons, if they should not themselves, when they perceive the multitude grown giddy with gazing, may assume more than the mere pageantry of nobility. When men begin to applaud themselves, they are not easily persuaded to believe they can take a greater share of honour than justly belongs to them. They will be pleased with the adulatory speeches of other men, and flatter themselves that they are entitled to power and authority, as well as the ostentatious show of superiority above their equals. I confess I do not barely dislike the order. With you I think it dangerous, and look upon it with the eye of jealousy. When the pride of family possesses the minds of men, it is threatening to the community in proportion to the good they have done. The unsuspecting people, when they are in a mood to be grateful, will cry up the virtues of their benefactors, and be ready to say, Surely those men who have done such great things for us will never think of setting up a tyranny over us. But even patriots and heroes may become different men when new and different prospects shall have altered their feelings and views; and the undiscerning people may too late repent that they have suffered them to exalt themselves and their families on the ruins of the common liberty. The Cincinnati are very unpopular here. You will wonder then that one of the order has had a majority of the votes of this town for a senator for

MR. S. ADAMS TO MR. GERRY.

BOSTON, APRIL 19, 1784.

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the county. I am afraid the citizens are not so vigilant as they used and still ought to be. It was given out at the moment of election that he intended to withdraw himself from the society. If he does, it may weaken their influence ; if not, he will probably destroy his own. You have doubtless seen the sentiments of the general court of the order. The reprobating speech of the governor of South Carolina has been published here.

I had the pleasure of receiving by the same post your several letters of the 15th, 20th and 24th ult. If I have a seat in the general court the ensuing year, (which is uncertain) I shall with great reluctance communicate your intention to leave congress, unless you will gratify the earnest wishes of your friends by altering your determination. I assure you there is no friend to our country within my circle, who is not solicitous for your continuance longer. I was in hopes, when you was prevailed upon again to take a seat you would have held it at least two years. Let me entreat you to release me from the obligation of complying with your request. Adieu,

SAMUEL ADAMS.

MR. SAMUEL ADAMS TO MR. GERRY.

BOSTON, APRIL 23, 1784.

MY DEAR SIR,

I observe by the enclosed newspaper, that the Cincinnati in congress assembled are to meet at

Philadelphia on the 5th of May, and that general Washington is to preside. That gentleman has an idea of the nature and tendency of the order very different from mine, otherwise I am certain he would never have given it his sanction. I look upon it to be as rapid a stride towards an hereditary military nobility as ever was made in so short a time. My fears may be ill grounded; but if they are not, it is impossible for me not to think it a great misfortune to these states that he is a member; for the reputation he has justly acquired by his conduct while commander in chief of our armies, and the gratitude and warm affection which his countrymen do and ought to feel towards him will probably give weight to any thing he patronizes, and lustre to all who may be connected with him. It is a tribute due to the man who serves his country well to esteem him highly and confide in him. We ought not however to think any man incapable of error. But so it is with the bulk of mankind, and even in a free country; they reprobate the idea of implicit faith, and at the same time, while the impression of gratitude is deep in their minds, they will not admit that of a benefactor, which must be said of every man, *aliquando dormitat*. I would never inculcate a base and envious suspicion of any man, especially of those who have rendered signal services to their country. But there is a degree of watchfulness over all men possessed of power or

influence, upon which the liberties of mankind much depend. It is necessary to guard against the infirmities of the best as well as the wickedness of the worst of men. Such is the weakness of human nature, that tyranny has perhaps oftener sprung from that than any other source. It is this that unravels the mystery of millions being enslaved by a few. What was it that induced the Cincinnati gentlemen, who have undertaken to deliberate and act upon matters which may essentially concern "the happiness and future dignity of the American empire," to admit foreign military subjects into their society? Was there not danger before that a foreign influence might prevail in America? Do not foreigners wish to have weight in our councils? Can such a junction of the subjects of different nations, (and those nations widely differing in their principles of government) to deliberate upon things which relate to the union and national honour, the happiness and future dignity of *one* consist with sound policy? Are we sure that these two nations will never have separate views, and very national and interested ones too, because they once united in the same object, and it was accidentally their mutual interest to fight side by side? If we could admit that the Cincinnati had a right to erect themselves into an order for the national purposes of their institution, had they a right to call in foreign aid for those purposes? It appears to me as im-

politic, preposterous and dangerous as it would be for the United States to invite and admit a delegation from that foreign power into their congress.

I take notice that the committee of congress propose that the governments of the ten new states to be formed shall be in republican form, and shall admit no person to be a citizen who holds any hereditary title. I hope congress will not fail to make this an indispensable condition.

Believe me to be,

Your sincere and affectionate friend,

SAMUEL ADAMS.

Hon. Mr. Gerry.

MR. JOHN ADAMS TO MR. GERRY.

APRIL 25, 1785.

* * * * What is to be done with the Cincinnati? Is that order of chivalry, that inroad upon our first principle, equality, to be connived at? It is the deepest piece of cunning yet attempted. It is sowing the seeds of all that European courts wish to grow up among us, viz. of vanity, ambition, corruption, discord and sedition. Are we so dim-sighted as not to see, that the taking away the hereditary descent of it will not prevent its baneful influence? Who will think of preventing the son from wearing a ribbon and a bit of gold that his father wore? Mankind love to see one

child at least of every beloved and respected father possessed of his estate, his office, &c. after his decease. Besides, when once the people begin to think these marks rewards, these marks are soon considered as the only proofs of merit. Such marks should not be adopted in any country where there is virtue, love of country, love of labour. When virtue is lost ambition succeeds. Then indeed ribbons and garters become necessary, but never till then. Then indeed these should be public rewards conferred by the state, the civil sovereign, not private men or bodies. I have been asked, why I have not written against it? Can it be necessary for me to write upon such a thing? I wrote twenty years ago some papers which have been called an essay on the feudal law, in which my sentiments and the sentiments of our ancestors are sufficiently expressed concerning all such distinctions and all orders of chivalry and nobility. But, sir, while reputations are so indiscreetly puffed, while thanks and statues are so childishly awarded, and the greatest real services are so coldly received, I had almost said censured, we are in the high road to have no virtues left, and nothing but ambition to reward. Ribbons are not the only reward of ambition. Wealth and power must keep them company. My countrymen give reputations to individuals that are real tyrannies. No man dare resist or oppose them. No wonder then that such reputations introduce chivalry, &c.

without opposition, though without authority. The cry of gratitude, gratitude, is animal magnetism; it bewitches all mankind, and has established every tyranny, imposture and usurpation that ever existed upon earth; so true are those words of Machiavel, "Not ingratitude, but too much love, is the constant fault of the people." This is a subject that requires a volume; and you see I am in haste. I could not have believed, if I had not seen it, that our officers could have adopted such a scheme, or the people, the legislatures or congress have submitted to it one moment. I don't wonder at a marquis de la Fayette or a baron Steuben: they were born and bred to such decorations and the taste for them. From the moment that captain Jones had his cross of merit bestowed by the king and consented to by congress, I suspected that some such project was in contemplation. Awful, my friend, is the task of the intelligent advocate for liberty. The military spirit, the ecclesiastical spirit, the commercial spirit, and innumerable other evil spirits are eternally devising mischief to his cause and disturbing his repose. It is a constant warfare from the cradle to the grave without comfort, thanks, or rewards, and is always overcome at last.

Is not this institution against our confederation? Is it not against the declarations of rights in several of the states? Is it not an act of sovereignty disposing and creating of public rewards presumptuously enterprized by private gentlemen?

Is the assembly a lawful assembly? Is it not cruel to call this a club for private friendship, or a society for charity for officers' widows and children? Would even such a society be lawful without the permission of the legislature? Is it not substituting honour for virtue in the infancy of a republic? Must it not introduce and perpetuate contests and dissensions, pernicious in all governments but especially in ours? Is it not an effectual subversion of our equality? Inequalities of riches cannot be avoided as long as nature gives inequality of understanding and activity. And these inequalities are not unuseful. But artificial inequalities of decorations, birth and title not accompanying public truth, are those very inequalities which have exterminated virtue and liberty, and substituted ambition and slavery in all ages and countries. I don't wonder that the word, republican, is odious and unpopular throughout the world. I don't wonder that so few, even of the great writers, have admired this form of government. Plato himself, I am fully persuaded from his writings, was not a republican. It is the best of governments while the people are republicans, i. e. virtuous, simple and of independent spirit. But when the people are avaricious, ambitious and vain, instead of being virtuous, poor and proud, it is not. A republican is an equivocal title; a Dutchman, a Genoese, a Venetian, a Swiss, a Genevan and an Englishman are all called repub-

licans. Among all these shades you will scarcely find the true colour. Our countrymen may be the nearest ; but there is so much wealth among them and such an universal rage of avarice, that I often fear they will only make their real republicans miserable for a few years, and then become like the rest of the world. If this appears to be their determination, it is not worth the while of you and me to die martyrs to singular notions. You are young and may turn fine gentleman yet. I am too old, and therefore will retire to Pen's Hill,

The world forgetting, by the world forgot.

I am, my dear sir, your sincere friend,

JOHN ADAMS.

Hon. Mr. Gerry.

Such, with a multitude of others of a similar kind, were the letters that from eminent and intelligent public agents were directed to Mr. Gerry on the question, which then agitated the United States. But the fears of these great men and their prophesies were alike illusory. The Cincinnati changing some of the details of their original plan persevered in their design, and remain a standing monument of the utter harmlessness with which private institutions, in theory the most objectionable, may exist among a people educated, intelligent and free.

Another subject, already alluded to, was the providing a military force in time of peace. *Obsta principiis* was the motto of the Massachusetts delegation. On the first suggestion of so obnoxious a measure, they communicated their sentiments to the general court by letter of 4th June 1784.

“We have endeavoured,” they say, “to obtain an act for exonerating the states of New-Hampshire and Massachusetts from the expense incurred by these states in consequence of a detention of part of their lines after 3d November last; but notwithstanding the justice of the demand was generally admitted, congress could not be prevailed on to comply with it unless we would consent to a military peace establishment. This was repeatedly and strenuously urged; but being principled against it, we in conjunction with the other New-England states gave it a vigorous opposition, for the following, among other reasons:

1st. We conceived that the states had not expressly given to congress such powers, and therefore they could not exercise them consistently with the second article of the federal confederation.

2dly. We were clearly of opinion that when the confederation was ratified the legislature had no intention of granting to congress a power of raising standing armies in time of peace, more especially as the same construction, which will en-

able congress to raise a few men for a short time may extend their powers indefinitely, both as to the number of men and term of enlistment.

3dly. We conceived the measure to be altogether unnecessary, because the United States, being remote from nations which have standing armies, may by disciplining their militia, the constitutional and only safe defence of republican governments, save the grievous expense of a formidable peace establishment, which would inevitably ensue if once a precedent for exercising so dangerous a power by congress should be admitted.

4thly. We were fully persuaded, even if it were necessary that congress, for guarding the posts and magazines in time of peace, should have power to raise a few troops, this ought to be limited by an express article of the confederation.

When all the proceedings on this subject, which will be soon printed and transmitted in the journals, are seen, we trust the honourable legislature will express their sentiments either directly to congress or by instructions to their delegates.

We are happy to inform the legislature that every attempt for raising troops by requisitions has been thus far defeated."

This communication was submitted to a committee, and on their report the legislature resolved "that the conduct of the delegates respecting a peace establishment as expressed in their letter merits the highest approbation of the legislature;

standing armies being dangerous to free states in time of peace, and that the legislature should by an incessant attention endeavour to regulate, and at all times cause their numerous militia to be well disciplined, as the best and most proper defence of a free republic."

The sensitiveness, which the patriots of the revolution discovered on the subject of a military force, indicates the school in which they received the first practical lessons of liberty. A government inclined to extort from them a surrender of their political rights had imposed terms and obligations to which they would not submit, and to enforce the necessity of submission, to compel the acquiescence which would not have been willingly yielded, they placed in the arm of power the weapons of military offence. The result was controversy, bloodshed and death. Tyranny, as it was called on one side, rebellion, as resistance was stigmatized on the other, met in lines of battle, and the proximate cause of the general desolation it extended through the community, was considered to be the military force. Hence the doctrine of the popular party resolved itself into an axiom of republican liberty, and every patriot subscribed to the universality of the principle that standing armies are dangerous in time of peace.

The principle is still true, but the assertion may as well be made in reference to any other part of

the machinery of government. Its danger results from its abuse, and its liability to abuse from the anti-republican opposition between the government and the people.

In their condition as colonies the people of Massachusetts were controlled by a government, in the choice of which they had no influence, and with which there was no sympathy or common feeling. The danger to liberty proceeded from the wrong organization of the government, which established itself as an oppressor, and the people as a body to be oppressed. In such a condition, the military or any other force that increased the power of the ruler, was like the ruler himself dangerous to liberty.

The case changes when the people form their own government, and when of course all its power is a mere variety of the popular power, and can be voted down quietly at the ballot boxes by the sovereignty of the people's will. A military power under these circumstances can never be brought to bear on the rights of the citizen. It may be objectionable from the expense of its establishment, from the natural tendency it has to try its strength with its neighbours and thus lead to war, or by its influence in extending a martial spirit and exciting too great a fondness for the military character in opposition to the employments of civil life; but it is not easy to see how, under the protection of free institutions, any very reasonable

jealousy can exist toward that military force which such institutions may always limit and control.

Attachment to the "manners, feelings and principles" which led to the revolution should not induce us to follow out to an erroneous extent the opinions of its leaders. The condition of the American people in the society of nations, the vast extent of their territory and the unexpected defence of it they may be called to make, require the constant presence of a military force; and it would be unfortunate if any theoretical principles should undermine its existence.

The militia too, is as has been said, the constitutional and only safe defence of republican governments. Constitutional undoubtedly, and safe too as far as they are competent, but in the present advancement of the military art wholly inadequate to this paramount duty.

The occasions in which their prowess has been felt are such as either, from the remarkable character of their leader or the peculiar position of their strength, have given them a weight not to be often calculated on in the chances of war; and wherever they have been employed, a prodigality of life both by disease and the sword has proved the excessive waste with which they are called to the field.

An armed population is one only among the means of national defence. The argument is not weakened by admitting the doubtful principle that

it is the best. All that is contended for is, that it is not the only reliance either in actual or probable war, and that these abstract opinions of revolutionary worthies, demanding as they certainly do our highest consideration, should not be adopted on their authority without first considering what the peculiar circumstances of their condition taught them, and what fatal experience has since unfolded to us.

The other topics upon which the delegates, in pursuance of their instructions, addressed the legislature of Massachusetts were of a more local and temporary character. The arrangement of the public accounts and various pecuniary or individual concerns formed the chief subjects of correspondence. Measures relating to the adjustment, by the intervention of congress and by the agency of referees, or as they were styled, a federal court, of the dispute between Massachusetts and New-York of jurisdiction over a tract of territory west of the Hudson claimed by both states, gave occasion to frequent communications, the importance of which ceased with the fortunate termination of the controversy.

The government of the United States after the adjournment of congress in June 1784, was conducted for a time by a committee of the states appointed in pursuance to an article of the confederation. The committee possessed the chief part of the powers of congress.

The progress of their deliberations was not very

flattering. The active members of congress had been worn down with the fatigue of a long session, and were desirous of returning home; so that the committee of the states, with one or two exceptions, consisted of members who were not the most remarkable for their industry or capacity for public business. It was some days after the period fixed for their meeting before a quorum assembled; and so unsteady was their attendance that no business could easily be done. Mr. Dana, who was selected for Massachusetts, and who not having been in his seat in congress, to which he had but recently been elected, was prepared with his usual energy to proceed with the public business, thus writes from the committee room.

MR. DANA TO MR. GERRY.

ANNAPOLIS, JUNE 28, 1784.

MY WORTHY FRIEND,

I write you at this time not because I have any thing important to communicate to you, but that you may know I have not, and be persuaded that I have not forgotten you. The day of the adjournment of the committee of the states having arrived we met accordingly; i. e. for New-Hampshire, Mr. Blanchard; Massachusetts, Mr. Dana; Pennsylvania, Mr. Hand; Virginia, Mr. Hardy; South Carolina, Mr. Read; but there not being

a sufficient number to proceed to business, the committee adjourned to eleven o'clock this day; then present as above, and for Maryland, Mr. Chase. The committee then adjourned to eleven o'clock to-morrow, when, it is said, Delaware, North Carolina and Georgia will be represented; in which case we shall have a quorum for business. The first we shall take up will probably be the appointment of a federal court, upon the claims of the citizens of Connecticut and of Pennsylvania. Mr. Wilson has already arrived upon that business. By the way, he informs me that Longchamps has been convicted of the notable infraction, &c.; but no sentence had been passed when he left Philadelphia. It seems their judges, bar and all, agreed in opinion that the laws of nations applicable to the subject are to be considered as the law of the land. Of this I yet have my doubts. It seems also that upon this ground the culprit has been demanded as a subject of his most christian majesty, to be sent to France. It might be advisable for our legislatures to pass declaratory laws touching the extent or adoption of the law of nations relative to the infractions of the immunities of ambassadors and other public ministers, and other matters, agreeably to the recommendations of congress of the 23d of November 1781. Recommendations of this sort, though important in themselves, are too often laid aside by the legislatures till they are forgotten; and if

they are brought up into remembrance, it is by the happening of cases for which remedies were intended by congress, and ought in their nature to have been provided previously. To prevent evils of this kind, as well as to procure certain benefits to the union, I have presumed, in my letter of the 11th instant to the general assembly, to submit to their consideration, "Whether it would not be expedient that a committee should be appointed by the legislature, at the commencement of every session, to examine the public letters of their delegates, whether written to the legislature or the governour, and also the journals of congress as they shall be transmitted; and to make a report upon any matter which they shall find in either requiring the attention of the legislature." By such a measure, the affairs of the union would be regularly brought under the consideration of the legislature, and in due season they would acquire a habit of attending to them; and besides, congress would save themselves the trouble and avoid the shameful necessity, into which they are often driven, of reiterating their recommendations to the several legislatures. The journals of congress are not yet printed up to the day of their adjournment; when they shall be, I will forward your's. Adieu, my dear sir.

Your's, &c. &c.

FRANCIS DANA.

Hon. Elbridge Gerry, Esq.

MR. DANA TO MR. GERRY.

ANNAPOLIS, JUNE 20, 1784.

MY WORTHY FRIEND,

If I mistake not, I have already answered your last favour, of the 22d of last month, from Philadelphia. I will however touch upon some parts which I do not recollect to have particularly noticed in my answer. I agree you have attacked my position, "that out of politics you are out of your element," with your wonted ingenuity, and shall be thoroughly satisfied if you keep out of them for a short time, with a view of entering *bona fide* into the holy state of matrimony. There are many duties incumbent upon us in this life, perfectly consistent with each other; but unless you can settle it in your own mind, that a proper attention to the woman of your choice will not require of you a renunciation of your political career, I must urge it upon you to remain as you are; for without flattery, my friend, I know of no one in our state whose experience and abilities have better fitted him to assist in the deliberation and guidance of our great national concerns: and it appears there never was a moment which called louder for the attention of such characters to them. This is the period when fatal precedents must be guarded against. Our federal constitution is in

its infancy, and there seems to be in many places a rage for mending, or rather marring it. I do not here allude to any amendment proposed by congress; such as changing the rule for apportioning the general expense upon the several states, or even the vesting congress with a power to regulate our trade with foreign countries, so far as is at present in view. You well enough know to what characters and opinions I do allude. To be short upon this point, I find our state have again honoured us with their suffrages as their delegates; and as my private affairs after so long an absence indispensably require my attention, to prevent their running into absolute confusion, I shall feel myself fully justified in declining the choice for the next congress; and I shall do it without any concern for our interests or those of the union in general, if you give your attendance in congress. Remember the important matters which have been effected of late by your personal exertions and perseverance, and which, I verily believe, would not otherwise have been obtained. I know your feelings must have been frequently very sensibly touched by that sort of barbarous opposition you have met with; but have you not almost constantly borne it down and carried your points? And what grateful sensations and reflections hath success brought along with it! I renew my charge to you then; *persevere*.

I had no intention of giving any observations of

my own upon the protest, but I wished some might be made upon it by others more able.

We have made up a table of New-Hampshire, Massachusetts, New-Jersey and Pennsylvania, and I believe it hath been productive of some good ; but where some persons are totally disinclined to do business, and are fatigued at the very sight of it ; whose assistance is besides indispensably necessary, for we have yet only nine states on the floor, every thing must be at a stand. From such causes we have hitherto done very little business. Yet the burthen of this is so great, that some will insist upon adjourning every Saturday, for the benefit of their health, and because they have not been accustomed to do business on that day ; and I will add, nor on any other day. Vexed at the attempt last Saturday, I called for the yeas and nays upon the question, but it was carried against me. The barrenness of our journal makes me ashamed. I will soon quit a place where public business cannot be done, and retire home to do my private business. This I shall do the beginning of next month.

Although I can't entertain you with any of our doings, yet it may be acceptable to you to learn that North Carolina has granted the impost and the supplementary revenues, acceded to the proposed alteration in the eighth article of the confederation and directed the time of service of their delegates to commence agreeably to that, vested con-

gress with a power to regulate trade with foreign nations, and finally ceded all the territory they claimed west of the Apalachian or Alleghany mountain lying between that, their northern and southern boundary and the Mississippi. All this, I think, is well done. South Carolina has granted the impost, but not the supplementary revenues, nor the power to regulate trade with foreign nations, but only with the West Indies : this last is an act of some standing, and was intended as a retaliation for the royal proclamation. Virginia has granted the impost and vested congress with a power to regulate trade with foreign nations, and hath acceded to the proposed alteration of the eighth article of the confederation. All these acts, excepting the Virginia impost act, have lately been laid before the committee of the states by their respective delegates. We have just heard that Rhode-Island has rejected the impost bill by a very great majority. I think this not to their honour. But what can be done with such a people? Must our whole system be overthrown by their ——? Fill up this blank according to their demerits.

This day we have received a letter from Mr. Marbois, acquainting us that upon the application of some of our merchants, his majesty had permitted their vessels on their way to the Indies to stop at the islands of France and of Bourbon, to refresh, &c. Not a word yet of the famous culprit, except

that he has been convicted. I propose in my way home to visit the Dutch minister, and shall be ready to return the visit of Mr. Chargé d'affaires if he should think proper to make me one.

I have already spoken of the adjournment of last Saturday. Monday and this day we adjourned for want of numbers; Georgia being absent at the call of the house yesterday, and Virginia and Georgia to-day. Thus have we lost three days through mere indolence or inattention.

JULY 23, 1784.

Your letter of the 12th from Providence has just come to hand. I feel vexed and grieved at the doings of the general assembly of that state. I wish gentlemen in public life would learn to control their resentments, and to be guided in public measures by a cool judgment. Let us not despair yet however of carrying the present system into effect: it is too important to the union to be suddenly abandoned. What can be substituted in its place? It must be tried on again when some men's passions shall have subsided. We have not yet had any addition to our representation. I shall quit the ground in company with Mr. Blanchard towards the beginning of next month, and shall hope for the pleasure of seeing you *chez nous* as soon after my return as may suit your convenience. You will doubtless have occasion to go to Boston, and you must take a little

circuit to Cambridge. In the mean time I am most sincerely,

Your's, &c.

FRANCIS DANA.

The session of the committee was abruptly terminated. The public journal speaks enigmatically. In the record of the 9th August it is inserted that "a motion being made by Mr. Hand, seconded by Mr. Spaight, and notice given that the yeas and nays would be required; during the debate New-Hampshire withdrew; whereupon the committee of the states adjourned to ten o'clock to-morrow." No quorum convened afterwards, and the committee having caused a protest to be entered that the members from Massachusetts, New-Hampshire and New-Jersey had left the city without leave and thereby broke up the meeting, separated on the 13th August.*

The motion alluded to in the journal, but which the secretary has not set down, was a censure on the member from Massachusetts, in retaliation for his severity in confining, or attempting to confine the committee to its work. It is explained in a

* The proceedings which thus unexpectedly terminated the session of the committee of the states was according to custom duly reported to the legislature of Massachusetts, who passed a vote of approbation, highly honourable to the reputation of their delegate.

letter from the member of the committee from New-Hampshire.

MR. BLANCHARD TO MR. GERRY.

NEW-YORK, AUG. 17, 1784.

MY DEAR SIR,

I have now the pleasure of addressing a line from this city, where I arrived the last evening. Mr. Dana tarried at Philadelphia to settle his account, but I expect his arrival to-morrow.

We (the committee) have not heard any thing of settlement since you left congress.

I hope you will not censure us for leaving Annapolis: we tarried until the 11th in a disagreeable situation enough; at no time more than nine states, and of course one voice put a stop to any debate. Mr. Dana introduced a motion for an adjournment to Trenton, second Monday in September. New-Hampshire, Massachusetts, New-Jersey, North Carolina and South Carolina were in favour of it, the other states were against it. Mr. Dana and myself told the committee that we were unwilling to tarry, being under necessity of returning to our states, and nothing to do in the committee. The week before last no representation from Maryland and no quorum. Monday last week Hand introduced a scandalous motion; Spaight seconded it. Mr. Dana rose after the reading from the chair, and

with great spirit observed that the motion was cruel and barbarous, and by no means such treatment as the mover had experienced from New-Hampshire and Massachusetts. The design was to cast an odium on Mr. Dana and myself for leaving the committee. Hand rose to reply to Mr. Dana, and I took my hat and cane and left the room. Soon after I got to Mrs. Brice's the deputy secretary came to me with a message from the chairman, to know if I were about returning. I observed, that I was writing a public letter, and could not. Read then rose and hallooed so that he might be heard through town, and insisted that the motion should be put on the journal. Mr. Dana insisted that it should not, and told the secretary to put it on at his peril ; and so the matter rests. We were under no concern from our states, and could move an amendment, or to strike out ; but I supposed the shortest way would be, to put a stop to it directly. Hand, Chase, Read, Hardy, Spaight and Houston treated us scandalously. Mr. Dana and I wished for a constitutional adjournment, and treated them with great decency to procure it, but all to no purpose. Mr. Dana said he could not tarry, and would not ; and if the committee refused to adjourn when they could, they must answer for the consequences. Mr. Dick came off with us, and latterly has behaved pretty well. There remains no prospect of a committee again. Such men are unfit to gov-

ern this country. When we came to Philadelphia we acquainted Thompson with the matter: he said he should order the papers to Trenton. Mr. Dana's health is improved and mine is good, but the heat intense. We hope soon to see our connexions and friends; and few more so than Mr. Gerry. I enclose a paper.

Pray accept my best wishes for a continuance of your health, being in great haste,

My dear sir,

Your most obedient servant,

J. BLANCHARD.

Hon. Mr. Gerry.

CHAPTER XXVI.

Correspondence with Mr. Jefferson.....Letter to the Legislature of Massachusetts.....Letter from Mr. J. Adams.....General de Lafayette.....Correspondence with General Warren.

MR. GERRY lingered at Philadelphia on his return from congress. Whatever he might have apprehended as a senator from the undue influence of that city on the deliberations of a political assembly, as a gentleman he was delighted with the charms of its refined and elegant society, into the amusements of which he always entered with avidity, and was received with the utmost cordiality and regard.

Distinguished as he then was in the councils of his country, young, wealthy, without the cares of a family, flattered, courted and caressed by the polite and fashionable society of that gay metropolis, and by the literary and learned coteries which already marked its intellectual improvement, and with a disposition that peculiarly attached him to the elegant pleasures of social intercourse, it must have been with no small sacrifice of personal inclination that he had urged the removal of congress from that city, and perseveringly opposed its return. But the city of Phila-

delphia had caused some jealousy in the mind of the leaders of congress. Its wealth, its great population, the very intercourse which was so agreeable, was believed to be injurious to the public councils. Some disaffection was excited by the undue share which its citizens had in the distribution of the public offices, and more from a belief that the state in whose capital congress held its session would acquire an improper weight in its decisions. These causes produced in the mind of many members a strong wish to change the location of congress, which nevertheless was opposed by the facilities for transacting public business which the city presented as well to individuals of the legislature as others who were connected with the offices attached to it. While these circumstances were in operation the deliberations of congress were disturbed by a riot of armed men, whose menacing appearance "insulted the authority of the United States." On the local government failing to take those steps, which the dignity and safety of that body required, a sufficient reason was found for removal, and congress adjourned to Princeton in June 1783.

From these circumstances originated the plan of a federal city, over which congress might exercise exclusive jurisdiction. Two committees, of each of which Mr. Gerry was chairman, were directed to examine a suitable location at the lower falls of the Potomac and in the vicinity of the

falls of the Delaware ; and on his motion, it was resolved that congress should convene on the banks of the Delaware and Potomac alternately; and until suitable buildings could be erected they should sit in Trenton and Annapolis by turns. But the plan was not adhered to. The charms of a great city allured, or the inconveniences of a small one displeased the members: The confederation dissolved before the new seats of government could be built up, and the constitution of the United States, afterwards adopted, contained a provision on this subject to which the city of Washington owes its existence.

While Mr. Gerry remained in Philadelphia Mr. Jefferson arrived at Boston, from which place he embarked on his mission to France. A parting adieu to his friend is contained in the following letter.

MR. JEFFERSON TO MR. GERRY.

BOSTON, JULY 2, 1784.

DEAR SIR,

Being to sail from this port to-morrow, I cannot deny myself the pleasure of recalling myself to your recollection for a moment. I have impatiently hoped your arrival here before I should depart ; but I suspect that the belles of Philadelphia have exercised their power over you, for it is

there, I understand, you make your principal delay. When I arrived here I found Mrs. Adams within thirty-six hours of sailing. I had determined to take my passage to France in the first instance, yet the wish to accompany Mrs. Adams would certainly have induced me to relinquish this, could I within so short a time have prepared for embarkation. I was unable on this account to attend her. Hearing of no vessel going from any eastern port to France, I had in contemplation to return to New-York and take my passage in the French packet, which was to sail the 15th instant; but it was suggested to me that I could with certainty get ashore on the coast of France somewhere from any vessel bound for London, and as Mr. Tracy had a vessel to sail from hence the third, which would save twelve days in the outset, and probably as many more in the run, I engaged my passage in her; and with the more pleasure, as he was to go himself in her. The intermediate time I have employed in a trip to Portsmouth, in order to gather in that state, as I had endeavoured to do in the others through which I had passed, such information as to their commerce and other circumstances as might in some degree enable me to answer the purposes of my mission. No small part of the time too has been occupied by the hospitality and civilities of this place, which I have experienced in the highest degree. These, with the preparations for my voyage, have left me

scarcely a spare moment; and receiving assurance from every quarter that I might derive from Mr. Tracy the fullest information as to the commerce of this state, I have referred much of the enquiries I wished to make to the vacant hours of our voyage. Pressed with the attentions necessary for the winding up my affairs here and getting every thing on board this forenoon, I have only time to bid you an affectionate adieu, to thank you for the many civilities to which you have assisted in introducing me here, to assure you of the pleasure it will give me at all times to hear from you; leaving with Mrs. Cotton a token of my friendship for you, which will remind you of me sometimes while you have pen in hand, and which therefore you must keep as a monitor on my behalf; and finally, to wish you every felicity. From me you shall certainly receive frequent accounts of whatever I shall think worth your notice, and every other possible proof of the sincere esteem with which I am, dear sir, your affectionate friend and servant,

THOMAS JEFFERSON.

MR. GERRY TO MR. JEFFERSON.

Boston, Aug. 24, 1784.

MY DEAR SIR,

I returned to this place about a fortnight after you left it, and received from Mrs. Cotton your

friendly letter of the 2d July with an elegant travelling desk, which I value most highly as a pledge of your friendship.

On 12th May, you may remember that general Knox was directed to open a correspondence with general Haldiman, to ascertain the precise time for his delivering up the western posts within the jurisdiction of the United States. The officer employed was colonel Hull, who has returned, and says that general Haldiman informs him, that not having received any orders, it is out of his power to deliver up the posts, although he has certain information of the ratification of the definitive treaty. But the general further declared that he should execute the orders whenever they arrived, without any delay and with great pleasure, and treated colonel Hull with marked politeness.

The Indian treaty seems to be at a stand, owing to the different opinions in congress as to their right to make requisitions for troops without the consent of the legislatures in time of peace, and also to the opposition of New-York in consequence of the noncompliance by congress with the request of that state for authority to raise five hundred men for taking possession of the western posts.

The states of Massachusetts and New-York claim a tract of western territory which the latter have heretofore garrisoned. Massachusetts announced their claim to the New-York legislature, and have petitioned congress for a federal court to

determine the jurisdiction.* Previous to this, when it was proposed in congress to send part of the troops retained at West Point by general Washington to take possession of the western posts, the delegates of New-York, pursuant to their instructions, objected to the measure, because the troops were from Massachusetts, and the posts, or part of them, were even within the jurisdiction, as New-York says, of that state. This opposition of New-York and the dissent of some of the states to any requisition for troops, produced an opposition in other states to the employment of the troops at West Point.

As it is conceived by the commissioners of congress that troops are necessary to attend them in the treaty, and as no troops are raised, nothing will be done this year. The treasury ordonnance has passed and commissioners are appointed. The report for instructing the commissioners for settling accounts is passed, and is enclosed. The committee of the states have adjourned *sine die* from want of members to form a quorum. Accept the assurance of my sincere regards.

I remain your affectionate friend,

E. GERRY.

His excellency Thomas Jefferson.

* According to the provision of the confederation, article ix.

MR. JEFFERSON TO MR. GERRY.

PARIS, Nov. 11, 1784.

DEAR SIR,

I received your favour of August 24. The affairs of Europe have been during the summer in an awful crisis: they have at length taken their ultimate direction, which is for war. The emperor had declared he would send a vessel along the Scheld, and would consider a cannon fired at her by the Dutch as a declaration of war. They fired at her and forced her to return. His ambassador at the Hague has left it without taking leave. He has put his troops into motion towards the Scheld, as have the Dutch also. The emperor's will probably not reach the Scheld before winter, but I suppose his object is to winter them as near there as possible, that they may enter on the field of action the earlier in the spring. It seems doubted by none that the king of Prussia will take part actively with the Dutch, and many circumstances induce the same opinion as to this country; their late treaty with the Dutch, their rivalry with the house of Austria, the improbability that the Dutch would have ventured so far without assurance of their aid, the long visit here by prince Henry, who is just now departing, and the friendly reception he has met with. The Porte have procrastinated the settlement of their bound-

ary with the emperour, and have been making the most vigorous preparations for war : we suppose therefore that Holland, Prussia, France and the Porte will be engaged with the two imperial courts. There are at present no symptoms of any other power taking a side : perhaps in the course of the war all may be drawn in. I should suppose it impossible for Great Britain to take a part ; her inability to raise money and the state of affairs in Ireland will prevent it. In this latter kingdom she cannot be said to exercise government now. We have not heard whether the congress of October 25th took place. They seem cold to the advances we have made, and our accounts are, that their people are extremely hostile towards us : still they value our commerce and count surely on monopolizing it with all the benefits of cabotage, without a retaliating measure on our part. The principle proposed by congress, of no trade where there is no treaty, was wise in proposal and will be equally so in the execution ; yet it is not believed on this side the water that the states can be brought to concur in the measure or that congress will execute it. I hope you will disappoint them. All respect for our government is annihilated on this side the water, from an idea of its want of tone and energy. It is a dangerous opinion to us, and possibly will bring on insults which will force us into war.

I am very anxious to hear that your land office

is open. I am so well assured that that will relieve you from your domestic debt and leave you to direct your efforts against the foreign one, that I count all delay as unfortunate. We have a number of visionary schemes proposed here for emigration to America, in hopes that congress, besides other aids, will give the adventurers great quantities of land. We tell them that congress will pass a land ordinance, in which general regulations will be laid down, to which all must conform who want lands, and that assuredly they will not trouble themselves with receiving particular applications or making particular bargains.

I shall hope to hear from you sometimes, and am with sincere esteem, dear sir,

Your friend and servant,

THOMAS JEFFERSON.

Hon. Mr. Gerry.

The interesting keepsake, which is mentioned in Mr. Jefferson's first letter, was a portable writing desk of a fashion not then common in the United States. It haply survived the wreck of Mr. Gerry's fortune, probably because its artificial value was unknown, and continued even after his death a memorial to his family of the fraternal intimacy of these distinguished men.

Before Mr. Gerry's arrival in Boston the gene-

ral court had re-elected him a delegate in congress for the ensuing year.* The appointment being officially communicated to him produced the following letter.

MR. GERRY TO THE PRESIDENT OF THE SENATE
AND SPEAKER OF THE HOUSE OF REPRESENTATIVES OF MASSACHUSETTS.

BOSTON, OCT. 25, 1784.

GENTLEMEN,

Being informed by the secretary that the general court have been pleased to continue me in the delegation for the ensuing year, I am happy to express the grateful sense I have of their confidence and a sincere desire to promote the views of the honourable legislature ; but the situation of my private concerns prevents me at present from leaving the state and renders it necessary to request that my place be supplied by a new appointment.

Enclosed is an account for attending congress the last year. My expenses exceed the sum charged, as will appear by the vouchers, but I shall not receive more, as I have conformed to an adjusted account of one of my colleagues. It is submitted to the consideration of the honourable

* The election of some of the delegates was contested, but on this and the former year Mr. Gerry received 141 out of 145 votes.

legislature, whether it would not be advantageous to the state to appoint a steward, and make him accountable for the sums supplied for the subsistence of the delegates, and at the same time authorize him to act as their secretary in recording and preserving the papers of the delegation, which are often lost or destroyed when much wanted.

The situation of our federal concerns being in many respects critical may justify me in a few observations on the subject.

The support of the claim of this state to the western territory may greatly depend on the appointment of the commissioners: if these are not disinterested and impartial men, however just our claim may be, there can be but little hope of supporting it. The object in dispute is of great importance, as the jurisdiction of the contested territory, exclusive of what may be ceded to the United States, would greatly add to the weight and importance of this state, and the lands retained would be a valuable fund for sinking part, and a very considerable part, of our public debt. Under these circumstances, it may be necessary that the delegates in general and the council for supporting the claim of this state should attend the institution of the court, as there can be no doubt that every exertion will be made by the adverse state to have on her part a favourable election.

It may also be of great importance that the sense of the legislature should be known respect-

ing the power of congress to raise a standing army. Some delegates at the close of the last session were much in favour of the measure, and it was reasonable to expect it, as they were military gentlemen. But is it not incumbent on the citizens of these states, before they take the first step, to view so important a matter in all its consequences? If we have no standing army, the militia, which has ever been the dernier resort of liberty, may become respectable and adequate to our defence; more especially as we have many brave and veteran officers to discipline the latter. But if a regular army is once admitted, will not the militia gradually dwindle into contempt? And where then are we to look for the defence of our rights and liberties? It may be unnecessary to urge that the measure is equally unconstitutional as it is impolitic, since the objections are fully stated by the delegates in their letter of June last to the legislature of this commonwealth.

The convention respecting consuls, which being signed by our ministers, is sent for the ratification of congress; the expenses of the Penobscot expedition; the redemption of the extant bills of the old emission and the reimbursement of the expenses incurred by the citizens of this state in consequence of the detention of part of the Massachusetts line after the army in general was disbanded, the three last of which were mentioned in the letter referred to, are matters that may

require the immediate attention of the honourable legislature and instructions to the delegates. Having made these suggestions from a sense of duty, I remain, &c.

E. GERRY.

On the receipt of this letter the senate invited Mr. Gerry to a conference the next day upon the important matters to which it related, but notwithstanding its decided resignation of his public office they refused to consider him released from the service of the state.*

On this subject one of his clerical correspondents thus addressed him : " It is in my way, you know, to deliver a sermon, and I am glad I can

* The journals of the house contain the following entry.

Nov. 1, 1784. The honourable Mr. Lithgow brought down a report of the committee of both houses on the letter of the honourable Elbridge Gerry, esquire, of the 25th ult. as follows:—

"The committee upon the letter of the honourable Elbridge Gerry, esquire, of 25th October, have attended the duty assigned them, and ask leave to report the following : That the paragraph relating to Mr. Gerry's delegation as a member of congress from this commonwealth does not amount to an absolute declension of the appointment, unless he should be holden to immediate attendance in congress, and that it is expedient to consider him as a delegate from this commonwealth.

"That it is highly necessary the vacancies in the delegation from this commonwealth should be immediately filled up. That the gentlemen elected be required to give an immediate answer of acceptance to or refusal of their appointment, and that three

preach to you in a manner to please myself. My text is found in 21st chapter Matthew, 29th verse. 'He answered and said I will not, but afterwards he repented and went.' This was the conduct of the first son stated in the parable; the other was directly the reverse. In the simplicity of those days the question that followed, Which of the twain did the will of his father? seems to have been easily decided. I am glad I can give the same reply now."

MR. J. ADAMS TO MR. GERRY.

AUTEUIL, NEAR PARIS, JAN. 31, 1785.

DEAR SIR,

I learn with much pleasure that you are again in congress, at the head of a respectable delegation, and that the states in general are so well represented. Experience will show the necessity of having that assembly composed of the best men,

members at least be enjoined to immediate attendance in congress.

"That it will be eligible for this commonwealth to appoint a secretary to their delegates and a steward to provide for their subsistence; these appointments involving with them, in the opinion of your committee, the important articles of seasonable information from the delegates, the dignity of the commonwealth, and a real saving in expenditures."

The sum of 449*l*. 6*s*. was allowed Mr. Gerry by resolve of 10th November for his services and expenses as a delegate to 12th July preceding.

by whom I mean men of the most experience, the best talents and greatest virtues. It is by these alone that federal principles and feelings can be made general and popular at the expense of partial views and contracted prejudices. I see the people have not lost sight of their old friends. They have not cut away the scaffolds on which they erected the building, but the same pillars which upheld it in the storm support it in more beauty and majesty in fair weather. I really feel an earnest desire to be one of you, but when will that be possible? It is more agreeable to be at home, among one's equals, and to enjoy some degree of respect and esteem among those we feel a regard for, than to be admired by strangers; but to be in a foreign country, among strange faces, manners, languages, and looked at with terror; rarely finding a person who dares to speak to one, as has been my case, Mr. Dana's, Mr. Jay's and others for years together, is horrible; oh, 'tis horrible! It is better now, but still we are among strangers, and we cannot live in character nor see that company which strangers in our stations ought to see.

Will you let me know what we are to do in the article of money. My colleagues, Dr. Franklin and Mr. Jefferson, and our secretary, colonel Humphreys, as well as Mr. Carmichael and Mr. Damas will be dependent upon me, or at least upon my bank, for their daily bread. This is an humiliating idea, that I beg may not lie upon their

minds one moment. In order to prevent it, I hope congress or their financiers will give instant orders to me or to their bankers in Amsterdam to furnish the money upon demand. It will be best perhaps that the money should be furnished to Mr. Grand, as usual, to be drawn out of his hands by Dr. Franklin and Mr. Jefferson, as usual.

Spain and England will certainly not treat with us here. England seems sure of our trade without a treaty, and therefore chooses to be unbound, and her ministers choose to avoid the clamour that would arise against any treaty. What shall be done? There are but two things; either to send a minister to London according to the king's polite invitation and try what can be done there, or commence immediately the sour work of retaliation. Will the states agree to exclude British ships from their ports, and British manufactures, or any of them? And can such prohibitions be executed, or high duties be levied? Suppose you lay a heavy duty upon every British vessel, or upon British manufactures, to retaliate for the duty on oil, &c., can you go through with it? We have no answers to any of the many things we have proposed to the British ministry through the duke of Dorset, and I really think nothing will ever be done but by an exchange of ministers.

Dr. Franklin showed me yesterday a letter from Mr. Jay, in which he says, "that the doctor's letter requesting leave to return to America was

committed, and not reported on." You can judge best from his letters whether he is sincere in his request ; if he is, you will make a new arrangement. He may be sincere, for a voyage seems to be the only chance he has for his life. He can now neither walk nor ride, unless in a litter, but he is strong and eats freely, so that he will soon have other complaints besides the stone if he continues to live as entirely without exercise as he does at present.

Mr. Morris has been so entirely trusted with money matters, that I know not whether he has ever informed congress of the immense sums of money that I have paid upon his bills of exchange ; but I think it is time the people knew that they have a gross interest to pay for near seven hundred thousand pounds sterling that I have borrowed for them and they have received in dollars, or in cash for bills sold by Mr. Morris at advantageous rates.

Your friend,

JOHN ADAMS.

The seaports of New-England in the autumn of 1784 resounded with festivity, in consequence of a visit from the marquis de Lafayette. Mr. Gerry had the pleasure of receiving him at his own house, and the inhabitants of Marblehead still point with pleasure to the hospitable mansion, in which they

were introduced to the presence of this friend of their country.

MARQUIS DE LAFAYETTE TO MR. GERRY.

NEW-YORK, DEC. 19, 1784.

DEAR SIR,

Before I embark for Europe give me leave once more to present my respects to you and your colleagues in the delegation. It is a circumstance truly distressing to me that I cannot this time pay a second visit to my friends in Boston. The pleasure of hearing from you will be received with gratitude, and with my best wishes for your continental, state and private welfare,

I have the honour to be,

Very respectfully and affectionately,

Your's,

LAFAYETTE.

Congress, which should have assembled at Trenton on the 1st November 1784, did not form a quorum for business until the 29th of the month. They adjourned on the 24th December to meet at New-York on the eleventh of January 1785.

The Massachusetts delegation had been required by the legislature to attend early in the session, and they arrived in a body on the 20th of December.

MR. GERRY TO GENERAL WARREN.

TRENTON, DEC. 23, 1784.

MY DEAR SIR,

It is fortunate that we arrived here as we did, for otherwise congress would by this time have been in Philadelphia and the treasury in such hands as you and I could not approve.

There was a stronger party formed against us than I remember to have seen, but I think it will subside and matters be in a good train again. We have carried two great points to-day by passing an ordinance, 1st. to appoint three commissioners to lay out a district on the branch of either side of the Delaware, within eight miles of this place, to purchase the soil and enter into contracts for erecting suitable buildings.

2dly. To adjourn to New-York and reside there until suitable buildings are prepared. This I consider a fortunate affair in every respect but one. It is so disagreeable to our worthy secretary that there is reason to apprehend he will resign his appointment.

We have been so happy also as to remove some objections on the part of Mr. Jay to the acceptance of his office, and he yesterday took the oaths and entered on the business of his department.*

* "Mr. John Jay was elected secretary for foreign affairs, having been thereto previously nominated by Mr. Gerry."—*Journals of congress*, May 7, 1784.

A report is now before congress for arranging the war office, and I think general Knox will be appointed secretary of war. Be assured I am on every occasion,

Your's sincerely,

E. GERRY.

GENERAL WARREN TO MR. GERRY.

MILTON, JAN. 11, 1785.

MY DEAR SIR,

I yesterday received your's of the 23d ult. I always thought your going to congress at this time important, and the events have fully justified the sentiment and shown that it was fortunate to the country. It was indeed a crisis, and I am exceedingly pleased with the conduct of congress so far; the points gained are great, and I hope from the present appearances that others will follow equally agreeable. I do not recollect that any thing worthy your notice has taken place here since you left us. The scarcity of money in consequence of our excessive and extravagant importations of British frippery has occasioned stagnation of trade, stopping discounts at the bank, and other embarrassments and confusions. This country seems to be in danger of ruin, which nothing can prevent but a reformation of manners and an establishment of frugality in the room of that gene-

ral profusion which has prevailed ; but when and how that is to be effected is a question difficult to be decided. The coin is gone, and no staple yet established to restore it, and yet the infatuation subsists. I don't see but that we must look to necessity for those effects, which every good man might wish should be the consequence of virtue and reason rather than fatal experience. Accept the sincerest professions of friendship from

Your's,

J. WARREN.

E. Gerry, Esq.

CHAPTER XXVII.

Letters from Mr. John Adams.....Mr. Jefferson.....Mr. Rufus King.....Leaves Congress.....Marriage.

THE most important affairs, which claimed at this time the attention of congress, were the detention of the western posts by the British troops under the direction of their government, in the obvious infraction of the treaty of peace, the conduct of the Spanish court respecting the navigation of the Mississippi, a demand made by the French government for the delivery of one Longchamps for an alleged violation of the law of nations, in committing an assault on the public accredited agent of that government in the United States, and the general state of commercial affairs; to which may be added, as most interesting to Massachusetts, the settling by authority of congress under the confederation, a dispute with New-York on the boundary line between the two states. It was this last matter which had imperiously required the attendance of the delegates of Massachusetts by the 21st December. The immediate object being arranged, Mr. Gerry left the other

affairs of congress in the hands of his colleagues and returned home.*

* The journals of the house of representatives of Massachusetts contain the following entries.

"March 14, 1785. Ordered, that a chair be assigned for the honourable Elbridge Gerry to attend the debates of the house whenever he may please, and that he be requested to attend tomorrow morning at ten o'clock, for the purpose of informing the house relative to such matters as may be asked of him.

"March 15. The honourable Mr. Gerry attended the house, agreeably to their request. A message was sent to the honourable senate to inform them that the house were about to receive communications from that gentleman, and that it would be inconvenient to receive any messages at present.

"March 16. The honourable Mr. Sedgwick came down and said that the senate were receiving communications from one of the delegates in congress, [Mr. Gerry] and it would be inconvenient to receive any messages from the house at present, but that the senate would inform the house when their conference with that gentleman was over."

The interdiction of messages and assignment of a chair were the then customary marks of respect. A chair was assigned "to his excellency Thomas Jefferson, late governour of Virginia, and now one of the commissioners for negotiating treaties," June 12, 1784, and to the marquis de Lafayette 16th October of the same year.

The etiquette of business between the two houses was much more formal than the simplicity of present times admits. All bills and reports of committees were carried from one house to the other by members.

When governour Hancock [18th February 1785] resigned the chair, he was received with great formality in the representatives' chamber, and the house voted, "that a chair be placed for the honourable the speaker of the house of representatives in front of the north side of the room in which the representatives sit, and that the representatives sit on that side. That a chair be assigned for the honourable president of the senate, and the seats on the south-west corner of the room for their members,

His connexion with the politics of the day was preserved through the medium of correspondents.

MR. J. ADAMS TO MR. GERRY.

AUTEUIL, NEAR PARIS, MARCH 9, 1785.

MY DEAR SIR,

You will see by our joint despatches that the pope, Sardinia and Naples, by their answers, have politely invited our vessels into their ports, but have not accepted the proposition of treaties of commerce. His holiness has gone as far, I believe, in his complaisance to us, as his maxims will allow; there being, as I believe, no example of a

That a committee be appointed to receive at the door the president of the senate, and conduct him to his seat. But the honourable Mr. Lowell came down and said that the senate did not agree to the assignment of seats for their members, as made by the house, but if the usual seats were assigned, the senate would accept them, otherwise they should stand on the floor. The house reconsidered their vote, and assigned the usual seats.

Messages were announced by the door-keeper, who stood with his hand upon the latch of the door until ordered to admit the messenger. He was accidentally absent one day when a venerable member of the house was in attendance with a message. A junior member of the senate, who knew no difference in rank between a door-keeper and a senator, seized the door and announced the message, and considered himself as having performed a very kind and serviceable act until the indignation of the president, Samuel Adams, terrified the astonished member by threatening an expulsion, for betraying the dignity of his station and the body to which he belonged.

treaty between his court and any protestant power. Naples probably waits for Spain. The motives of Sardinia, who has two daughters near the throne of France, although he has ancient attachments to England, are not so obvious.

Prussia will probably agree with us, or we shall agree with him, as the points in discussion are not essential, although some of them are of some importance. From Portugal, Denmark and the emperor we have no decisive answers, nor from Russia any answer at all. Spain and England will continue, I suppose, to refuse treating here. Mr. Hales, the British charge des affaires, told me that his court were determined never to treat here, and this declaration agrees with every information and all the circumstances that have come to our knowledge. I think the invitation to send a minister to London should be accepted, as it is undoubtedly our place to send first, and as the neglect of exchanging ambassadors will forever be regarded as a proof of coldness and jealousies by the people of England, the people of America, and by all the courts and nations of Europe. It is in vain to expect of us treaties of commerce with England, while she will not treat here and congress will not treat there. We cannot force them to treat, and it is not expected we should petition them: petitions would be neglected now as much as ever. We can do nothing with the Barbary states without money and

orders to apply it. You know best whether it is worth while to give fifty or sixty thousand guilders a year to Algiers besides occasional presents to the others.

France, Holland and Sweden, I suppose, will act in concert, and neither agree to terms more favourable than the others. Such is the opposition in France to the "*arrêt du conseil d'état du roi concernant le commerce étranger dans les îles Françaises de l'Amerique du 30 Août 1784,*" that I despair of persuading the ministry to venture further in our favour. There is a general cry of the merchants against that ordonnance. The commerce of Marseilles, Bourdeaux, Nantes, Rochelle, St. Maloes and Havre de Grace have remonstrated against it in strong and warm terms. The parliament of Bourdeaux too has joined in the clamour, and the states of Bretagne came very near it. The minister will stand firm to this ordonnance, it is said, but I fear will be discouraged from extending his liberal sentiments still further.

We have, my friend, a delicate and difficult part to act towards the powers of Europe. Our safest course lies in a perfect impartiality to all. Predilections and attachments to any will be narrowly watched, will be perceived and will endanger our tranquillity and neutrality. Spain, France and England will interest us and endanger us the most. I wish that no means of settling all disputes with the first and last may be neglected, and therefore

I advise the sending a minister to each; if he succeeds, well; if not, we shall have nothing to reproach ourselves. We shall have done our duty and all that was in our power.

I wait with impatience for the ratification of my last loan in Holland and for orders what to do with near a million of guilders in the hands of your bankers at Amsterdam. You will remember I have run you in debt near seven hundred thousand pounds sterling, that you have received in dollars or drawn bills for it at an advantageous exchange. I hope you have spent it wisely; but whether you have or not you ought to take measures to pay the interest. My Dutch friends will throw me into one of their canals if you don't fulfil my engagements.

My respects to your colleagues, and believe me your faithful friend and very humble servant,

JOHN ADAMS.

Hon. Elbridge Gerry, Esq.

THE SAME TO THE SAME.

BATH HOTEL, WESTMINSTER, JUNE 26, 1785.

DEAR SIR,

I have not time now to answer particularly two or three letters which I have received from you.

You will give me great pleasure by persuading

Mr. King to write to me. I have heard a great character of him, and what is more, a good one.

I enclose you a pamphlet concerning the intercourse between North America and the sugar colonies.

I have met with a public reception here as respectful and honourable as possible, but I am not deceived by all that into a belief that we shall soon obtain what we want. There is a reserve, which signifies more to me than many fine speeches and pompous ceremonies. I shall soon write more fully. Adieu.

JOHN ADAMS.

Mr. Gerry.

THE SAME TO THE SAME.

GROSVENOR SQUARE, AUG. 26, 1785.

DEAR SIR,

You will have seen by my public despatches what prospects we have of any sudden arrangement with this country.

I may be more free in a letter to you than I have been in the public letters to Mr. Jay. There is a mysterious reserve among the ministers, which indicates either a want of unanimity among them or a dissatisfaction towards us, or a timidity arising from the prejudices and passions of the nation.

I am really at a loss to conjecture whether I shall get any answer from them at all, or whether I shall have an answer full of complaints of departures from the treaty on our side, and insisting on a full compliance on our part, as a condition precedent to any further measures on theirs. There is nothing for me to do but to exercise patience, reminding them however from time to time that I expect an answer. If the answer comes loaded with complaints I shall answer them provisionally, as far as I am clear, but if there is any matter in which I am not fully informed, or of too grave a nature for me to take upon myself, I shall take time to obtain the instructions of congress.

I have no hopes of their agreeing to a treaty of commerce or of their proposing one such as I can agree to. Every treaty of commerce proposed by them will be proposed only subject to the approbation of parliament, and I am afraid that all other parties would unite to defeat the present ministers in any treaty of commerce, in order to obtain another triumph like the vote against the peace in Shelburne's time, and like the late rejection in Ireland of the twenty resolutions. Mr. Pitt indeed declares to me that he does not wish merely to lessen our navigation, but the nation is not of his mind in my opinion. There is a national duplicity that is astonishing in their publications and speeches: they affect to think lightly of America, but they betray in many ways a dread of us; an

opinion that a great rival nation has risen up like a mushroom on the other side the Atlantic, against them. I don't believe that an equal treaty of commerce could be carried through parliament. I may be mistaken, but in all events it is safest for the United States to persevere in their plans to do themselves justice. The Massachusetts never struck a deeper stroke than by their late navigation act. I hope it will be followed by all the other states, but if it should not be followed by any one I hope they will persist in it. They would become by means of it both manufacturers and carriers for others.

I may be out in all my conjectures, but I am not without suspicions that the ministry will make me some propositions, or give, as of their own motion, some facilities in trade upon the old principle of *divide et impera*. They may flatter themselves, as their predecessors have so often done, that by giving way a little they can divide us, and prevent the other states from making acts of navigation or agreeing in any other plan. I hope the Massachusetts, with all those who will join her, in her present system will stand firm.

What do you think of granting a bounty by the Massachusetts upon oil equal to the British alien duty, and laying on imposts on British manufactures for the express purpose of paying it?

My duty here will oblige me, most probably, to counteract as far as I can the prejudices of the

action and the views of the ministers so constantly that I shall neither have their trumpeters to support my reputation nor their candour to forgive my errors. They will never get any just ground of complaint against me. I will behave towards them in character, but I will do my duty to young Samson, and constantly advise him to preserve his locks. There will still be insinuations in congress, I doubt not. Let me beg of you and your friend Mr. King to inform me, that I may not be ignorant of every thing that passes relative to myself as I have been heretofore for many years together.

Mr. Jefferson and I are half distracted on account of Mr. Lambe, of whom we hear nothing. We have thought of sending Mr. Barclay to Barbary, but must wait a little longer for Lambe. Congress should send a commission to Mr. Barclay if he goes.

I am, my dear sir, ever your's,

JOHN ADAMS.

Hon. Mr. Gerry.

P. S. I hear of Gallicans and Anti-Gallicans, of British and Anti-British influence in America. I hope there are no such interests there. I think we should be impartial as far as our treaty with France will allow us, and no farther. But it would be very unwise to have any Anti-Gallican or Anti-British parties or partisans. We certainly

should have most commerce with England if she, by impolitic restrictions, does not prevent it, but if she will be contracted I am for going any where to find liberality.

THE SAME TO THE SAME.

GROSVENOR SQUARE, WESTMINSTER, SEPT. 12, 1785.

DEAR SIR,

This letter will be delivered you by my friend Mr. Storer, by whom I may write more confidentially than I usually do even to you.

I wish I had as much public cause as I have private to speak respectfully of the present ministry. They have treated me, and I suppose advised their master to treat me, with all the personal respect and all the regard to my public character, which I can desire. I have no complaint to make then upon that head.

But is their public conduct towards the United States answerable? They had adopted a system before I came here. Their excluding our ships from their markets, that is their not permitting American built ships to be sold in their dominions, or in other words their adjudging our ships to be foreign ships and not entitled to the privileges of British built ships and of plantation built ships, as they were before the revolution, their excluding

our ships from Nova Scotia, Canada and Newfoundland and from their West India Islands, are all parts of a system adopted at first by the coalition administration and persisted in by the present ministry. The system I mean is that of treating the United States as a foreign nation, and enforcing the navigation act against us. It is certain that the present ministry has hitherto adopted this principle, and I think it equally clear that it is a fault. They have endeavoured to push this plan against us by tackling Ireland into the harness of their navigation act. Ireland has refused. I consider this refusal of Ireland as a great event for the United States; it has given us all the chance we have of a fair treaty if it has not defended us from greater evils.

But the plan with Ireland in the twenty propositions is another proof that the present ministry are superficial statesmen and unequal to the state of the nation.

They appear too to have adopted a great many little notions in other things. The withholding the posts, in which I really believe they are fixed, proves a design to go to war with us, or at least to keep up that idea in the minds of the people of the British empire and the United States, both of which are extremely impolitic. There are several other little things, which look as if they really wished we would commence hostilities, or furnish them with a pretence to begin them,

and as if they thought they could make a much better figure in conducting a war against us than lord North did; as if they thought they could keep France, Spain and Holland neuter, and then by means of their whole fleet cut off all our commerce and make us beg.

They discover judgment in nothing. Their sending out a consul and not a minister is a miserable blunder. What little trick, what pretty piece of craft can there be in this? Can it be to signify to their own people, to ours, or to Europe, that they look upon their consul upon a footing with your minister plenipotentiary? Or is it a miff, because you did not propose to them to send a minister when you complied with their proposal in sending one? Why should they do a thing which they know will raise a dispute, when by sending a minister they might avoid it? Their choice of a man is equally injudicious. I have a regard for Mr. Temple, and wish him well. I wish they had given him a still better office in England, which I believe would have been as agreeable to him and more so to his family: but when you consider the mysterious part he has acted and the suspicions he has brought upon himself in America, you cannot think him so suitable a character as many other plain Englishmen of fair and unsuspected characters. His deafness besides renders it extremely difficult to converse with him and makes him very apt to misunder-

stand you or comprehend you by the halves. It is the curse of England that offices are always sought for men, not men for offices. The marquis of Buckingham did such a service in defeating the India bill of the coalition and introducing the present ministry, that he must be obliged. His name is Temple, and he asked this office for his namesake, and he must not be refused. Is the accidental circumstance of a name to award an office, which is at this moment one of the most important in the king's gift? Such I really think at this time the British mission to the United States.

Notwithstanding all these remarks I don't wish the ministry changed; the coalition would not be better, and I doubt much whether Shelburne or Buckingham would.

In one word, there is a unanimity in this country in the desire to exclude our ships and oil, which I never expected to see in any thing, and the party for admitting us in any manner and under any restrictions to their colonies is very small.

I have been now three months in this country, and in all that time I have not found one man who could say he believed the ministry would admit our ships or oil, and very few who thought we should be admitted to the West Indies.

Mr. Temple will give you more pleasing accounts than mine, I doubt not, of the friendly disposition of the ministry, and very great ideas of

the abilities of the marquis of Buckingham and of his liberal wishes for America. He would probably let us into some communication with the West Indies, but would not be for a treaty.

I have no answer, and I doubt whether I shall have till next spring; I hope however for one before the meeting of parliament. I hope America will suspend their judgments and measures as long as possible, excepting their navigation acts and imposts upon foreign luxuries. These I wish them to accelerate as much as possible.

Yours,

JOHN ADAMS.

Mr. Gerry.

MR. JEFFERSON TO MR. GERRY.

PARIS, MAY 11, 1788.

DEAR SIR,

Your favour of February 25th came to hand on the 26th of April. I am not a little at a loss to devise how it has happened that mine of November 11th, which I sent by colonel Le Mair, and who I know arrived at New-York the 15th of January, should have been so long kept from your hands as till the 25th February. I am much afraid that many letters sent by the same hand have experienced the same delay, and among these a public letter from the commissioners to congress.

which we do not yet know that they have ever received, any more than the subsequent ones sent regularly by every packet since. We are told that this government will in the course of the ensuing months remove their packets to Havre, which will facilitate the conveyance through the posts to the packets, but most of all will enable us to forward packages too heavy for the post. That port is more convenient too for our trade while at peace with England. The marquis de Lafayette, whose zeal for America is great, expressed to me a desire of endeavouring to obtain it as a free port, and asked my opinion. I knew that it would be disagreeable to the government that free ports, round which is drawn a wall of separation from the country in which they are, from which commodities are not permitted to be sold to the interior country, and which in fact are restrained to the sole office of an entrepot, were of little value to us, because our merchants will never find it answer their account to unship their produce merely to ship it again for another market. They must always know beforehand where they can sell, and carry directly thither. I therefore recommended to the marquis not to attempt it, that by asking small favours we should weaken our pretensions to great ones, and that I wished him to reserve his efforts and influence for the great objects of our mission. I think he will do it, as nothing seems to be nearer his heart than the serving America. As yet no-

thing has been opened here ; the times did not admit it. The arrêt on the West India commerce last winter raised a furious tempest against the minister. It has been with difficulty that he could keep the ground which that had gained. The storm is not yet over, but its force is so far spent that I think there is little danger of the merchants forcing him to retract : but whether more can be got is a desperate question ; it shall be tried when circumstances are ripe for it. The marquis has shewed his attention to us in another instance, as you will see by a contract for the supply of whale oil, which Mr. Adams carries over. There were circumstances in this which were not as precise as could have been wished, but as it will rest with our merchants to accept or to refuse the contract, I thought it worth concluding ; on which question the marquis was so good as to consult Mr. Adams, son. and myself. I have great reason to be grateful to my friends in congress for the partialities so often shown me in their European appointments. I will endeavour honestly to deserve them, and shall be supremely rewarded if I can give them content. Mr. Adams sets out in a few days for London : on him we shall rest the desperate task of negotiation with that court. Perhaps the just resentment lately excited in America by their conduct and the probability of our acting as a nation by retaliating measures may induce them to lend a listening ear to equal propositions. I have much

feared that their measures and their temper would lead towards hostilities. As yet we ought not to think of war with a powerful nation : there are, to be sure, measures which would force it on us. Under the possibility of this event, we were anxious to obtain a right of selling prizes in war in the Prussian ports, and the cession of this point by the king may in that case have the most important consequences. Great Britain has but two resources for naval stores, America and Russia. The first of these ceases to be open to her in case of a war with us, and we can in a great measure intercept her supplies from Russia, possessing protection and a free sale in the Prussian ports. It will employ a respectable part of her naval force to protect her supplies from that quarter. Much could have been done against her in this way in the last war, had we possessed this privilege. We are glad also to close this treaty on account of the respect paid to whatever the king of Prussia does. Of all the powers not holding American territory, a connexion with him will give us the most credit.

I think it probable that the peace will be kept in Europe, at least between the emperor and Dutch. This country has just lost a great statesman in the duke de Choiseul. Though out of the administration, he was universally esteemed, and always supposed to be in the way of entering into it again. He died two days ago.

I pray you to write to me as often as you can

find time. I will be punctual in returning it. Besides the public transactions of America, the objects of the different parts of congress, their workings and counterworkings, what you refuse to do as well as what you do will be most interesting to me. A dry reading of the journals does not give that intimate knowledge of their dispositions, which may enable one to act to their wishes in cases unprovided for. This will be delivered you by young Mr. Adams. His being the son of your particular friend renders unnecessary from me those commendations of him which I could with truth enter into. I congratulate your country on their prospect in this young man. I pray you to believe me with much sincerity,

Your affectionate friend and servant,

THOMAS JEFFERSON.

E. Gerry, Esq.

MR. RUFUS KING TO MR. GERRY.

NEW-YORK, MARCH 24, 1785.

DEAR GERRY,

I this moment received your's written the morning after your arrival at Boston. * * * * I thank you for the politics you give me. The Rhode-Island act for an impost had reached us before your letter. New-York have been, you know, upon the subject of impost, and yesterday the

question upon a bill copied from the Massachusetts act was lost in the senate, there being only eight in favour and ten against the measure. The business of congress proceeds with great facility by so full a representation. Congress have agreed on a treaty to be held at Port Vincent in June with the Indians north-west of the Ohio, and also to a treaty south of the Ohio. This treaty was opposed by the circumscribed states because it might cover the states of Georgia, South and North Carolina in purchases of Indian rights of soil within the boundaries of those states. It was well answered that the United States are bound to procure peace to all the citizens of the union, and that the citizens of the southern states had a right to require the United States to establish peace with the enemy within their country. The object of the treaty is confined to peace only, and the commissioners restricted upon the subject of a boundary of property between the Indians and the several states. The commissioners for this treaty are Mr. Perry of Delaware, Mr. Carrol of Maryland, Mr. Hawkins of North Carolina, Mr. Martin of Virginia and Mr. Perkins of South Carolina.

Our family are all happy, and remember you with a cordial affection. We all hope you will soon despatch your private business and return to us. Believe me to be with sincere esteem,

Your's,

R. KING.

Mr. Gerry.

THE SAME TO THE SAME.

NEW-YORK, MAY 27, 1785.

DEAR GERRY,

This accompanies the land ordinance, which hath at length obtained its passage through congress: I hope it will meet your approbation. We are now occupied by the business of a requisition for money.

The recommendation of the 27th of April 1784, is the source of great embarrassment. Congress thereby declare that they will not call for further moneys until the states have all paid up former deficiencies, and they engage to credit advances over the moiety of the eight millions of dollars in the next requisition. South Carolina, by management with Mr. Morris, have obtained a credit for specific supplies equal to their quota of the eight millions of dollars, and now contend that as they have obtained a credit on their quota of eight millions equal to the whole amount thereof, the present demand on the states being for the remaining moiety of the eight millions, they ought not to be called on for any part of the sum necessary for the current year.

The recommendation of last year, which is a very complex affair, also states that before the residue of the eight and two millions of dollars not thereby called for should be required, congress would revise the rule of apportionment, and make

it conformable to justice upon the best evidence in their power at the time. South Carolina in the apportionment of the eight millions stands at the same sum as New-Hampshire. Revise the rule and conform it to justice and South Carolina will stand at a larger sum and other states at a less. This is what I contend for, and if it succeeds we shall bring in South Carolina.

Indeed it may be questionable whether we ought not to reconsider the recommendation of last year on this subject, to enjoin it upon the states to comply with the expectations of congress in paying a moiety of the quotas of the eight millions last year required, and make a new requisition for the moneys necessary for the present year, without reference to former acquisitions.

It will be the occasion of confusion and intricacy if every new requisition upon the states for money is to operate as a balance bill to all preceding demands. What think you of this idea? Adieu, my dear friend. Believe me affectionately your's,

R. KING.

Mr. Gerry.

THE SAME TO THE SAME.

NEW-YORK, JUNE 5, 1785.

I have your's of the 27th of May, with the history of electioneering: I am satisfied with all

that has been done and with all that has not been done. There is but one piece of information that you give me that I am not content with, and that is your intention to remain until the 15th instant in Massachusetts. I have for six weeks past daily been saying that you would be here in twelve or fifteen days, and these assertions have not only been made to the best and most respectable men in congress, but to a number of the most beautiful women in this city, all of whom laugh at my credulity in believing that you seriously intend leaving Massachusetts this summer.

Now, sir, this has become a very serious business. I am not only disappointed in the society of my friend, but am pointed at as a very weak man in my understanding, and a very great man in my faith.

But this aside, seriously your friends wish you here, and I have been disappointed in your not returning. However, as you have tarried so long, for the greater good I will consent to your remaining a few days longer for the appointment of delegates.

I wish to know who is talked of, and who will probably be chosen. You well know the importance to Massachusetts and to the eastern states that Massachusetts should always have not only a full but an able delegation. The state requires abilities in the present condition of her affairs, but I fear she will not obtain them, although she hath

many able men who would serve her, provided when they are taking care that the commonwealth takes no harm, the commonwealth would take care that their private affairs receive no detriment.

Georgia is represented, North Carolina and Delaware unrepresented. We have eleven states on the floor. Adieu, my dear Gerry.

Your's affectionately,

R. KING.

Mr. Gerry.

At the annual election in April 1785, the whole number of senators for the county of Essex were not chosen by the people. Many of his fellow citizens had voted for Mr. Gerry, and the duty of selecting one of the two who had received the highest number of votes devolved on the legislature and was performed by their designating him for that honourable office, but again he declined the appointment, giving as a reason that he preferred a seat in the popular branch which at the expiration of his term in congress he proposed to resume, having been thereto elected by his neighbours and friends of Marblehead. This was the second instance of his being at the same time a delegate in congress and member elect of each branch of the state legislature.

The legislature of Massachusetts in the exercise of that vigilant supervision which it seemed to

them proper to maintain over the proceedings of congress, had instructed their delegates on several matters which mark the jealousy of state prerogative.

It is obvious that the continental government was considered in the light of a foreign one. Indeed the epithet was applied to it by one of the leaders in the Massachusetts councils. It was submitted to as a matter of necessity and because such submission was the only practicable way of concentrating the energies of the other states. The sovereignty of the state was a favourite principle in the legislature of Massachusetts, and from that source New-England chiefly derived its political opinions. A desire of self government, from a settled conviction that in principle it was right and in practice would be successful, originated the resistance to the arbitrary acts of English power; and although the distinction between a government voluntarily appointed at home and one imposed without consent from abroad was sufficiently obvious, yet any parting with the power of the state, any transfer of authority beyond its borders, was submitted to with reluctance. It was always in the imagination of the statesmen of Massachusetts that power had a natural tendency to oppression, that like the productions of nature it would grow and expand by time, unless it was diminished by artificial restraints.

To these notions, which perhaps may be well enough maintained, was added a suspicion of the individuals to which the management of affairs was intrusted, an apprehension that they entertained individually a desire *ampliare jurisdictionem*, a belief of their disposition to encroach upon territories not submitted to their sway. In justice however to the statesmen of that day, it must be admitted that their own experience of the past in some degree justified these too careful suspicions. It had been the fate of those who then guided public affairs to have witnessed constant efforts by ministers abroad and by governors at home to usurp power without right, to assume what they ought not to possess, and to carry to extremes that which was properly in their hands.

The different points of view, from which the body politic was seen, originated contradictory opinions on the subject of legitimate authority. On the part of the ministry the practical language of their conduct was that the people possessed no right, which had not been granted, and the crown no restraint, which had not been specifically imposed. The republican doctrine of Massachusetts was the more correct principle of modern times, that government had no power but what the people had granted, and liberty no restraint, which was not imposed by their consent.

But inasmuch as no written constitution can provide beforehand for all the innumerable cir-

cumstances, which the actual exercise of government originates; as the most it can do is to lay down the general outlines of the coast, by which the navigator must direct his course, without pretending to trace out all the shoals and currents in his way or the winds which vary his direction; or at least as no more than this was attempted to be done by the confederation under which the congress of the United States assembled, there devolved, as was thought, on the states, as the constituents of this body, a constant duty of examination, recommendation and control, an obligation so to maintain the current of public opinion that its force would necessarily carry them in its safest channel.

The legislature of Massachusetts was a faithful pilot in this troubled sea. They had looked with great apprehension on the management of the treasury, which under the control of an individual they believed dangerous to public morals; they saw members of congress promoted to stations of emolument or honour by the vote of their colleagues, and this they denounced as impairing the purity of legislation, and finding that the secretary of congress maintained an influence from long services, which they considered anti-republican, they instructed their delegates to use their endeavours to obtain an ordinance that for the future he be elected annually. On the propriety of such interference no difference of opinion at that day exist-

ed. If experience has since justified more liberality, former habits should not now be cast back as a reflection upon those times. Perhaps only the objects of state jealousy have changed, and that the amount of it has not diminished.

After a short interval Mr. Gerry resumed for the last time his seat in the national councils and devoted to the business of the session his usual industry and application. But however useful may have been the details of the limited legislation of congress, they presented at that period no particular object of present interest. To disentangle the intricacies of the treasury, to produce by a sort of Aladdin's lamp money without means, to protect the commerce of the country from the rapacity of the Barbary corsairs, and the navigation acts of more civilized but not less inimical competitors, were among the objects which required the attention of men who could not but perceive how inefficient were their powers and how ruinous the want of them to their country.

Still congress was the central, and in many respects the supreme authority of the country, and with all the watchfulness, with which the patriotism of the states deemed it useful to guard and to limit its exertions, its councils commanded the respect which is paid to wisdom and authority. It had the means both of influence and of honour; its patronage gave individuals wealth, its appointments conferred distinction, while as the successor

of the displaced monarchy it transferred to itself that feeling of attachment and loyalty, which habit and education had made natural to the American people.

Mr. Gerry at this session completed the time of service, which the confederation permitted in this illustrious assembly. For three years he had been at the head of the Massachusetts' delegation, and he had maintained that elevated rank not more by the commission, which assigned it to him, than by the experience and services, which procured it. Nor was this merely a nominal honour. In the councils of the confederacy the rank of Massachusetts and Virginia had undisputed pre-eminence. They were the great states of the union. Others, which have since surpassed them in size and population, had failed to take the early and decided stand, which had established the liberty and glory of the nation. Jealousy existed, it is true, and rivalry was sometimes successful; such always is the consequence of distinction: but the weight of these two sections of the new republic was felt in all the deliberations of the congress of the United States.

A deference was entertained too for their individual character. Virginia had moved for a declaration of independence; the resolution was seconded by Massachusetts. Their delegates were first named on the committee by whom the declaration was reported. They had together led the

forces of their states. They had spent their treasure, spilt their blood, and united their councils together: in every thing but location they were one. They had always been ably represented, and if in some minor points a difference of opinion had existed between them, the great measures of national policy had been pursued by the influence of their united talents, learning, eloquence and patriotism.

These adventitious circumstances concurred in giving importance to individual reputation, which was well sustained by the personal character of Mr. Gerry. The value of his services and the influence attached to his name is discovered by the extent and variety of the duties assigned him on committees, and the closeness of his attention by this among other facts, that he transcribed with his own hand the public and private journals of proceedings during every day of his attendance. At an age short of forty-two years, he was the eldest member on the floor of that honourable assembly, and by this circumstance held a rank in the eye of the nation more imposing than the subsequent organization of the government would make it easy to attain. High in the esteem and affection of his immediate constituents, firmly possessed of the confidence of his associates, and from long and constant service enjoying the applause and affection of the people, Mr. Gerry retired from the councils of the confederacy with all the hon-

ours, which patriotism, integrity and talents could acquire in the service of the state.

In the full possession of these splendid acquisitions, it was his good fortune to add another of inestimable value to his domestic felicity. Before leaving New-York he married the daughter of Mr. James Thompson, one of the most respectable, and on the mother's side most ancient families of that city. The lady had been educated in Europe, whence she had recently returned, and in all the pride of youth, was considered the most beautiful woman in the United States. From the centre of the gay and elegant society of New-York, where she was the subject of uncommon admiration, she accompanied her husband to Massachusetts. Few years had elapsed before an increasing family and feeble health, and the cold and repulsive atmosphere of party politics separated her from the circles in which she had been accustomed to move, and confined the pleasures of her society to her domestic connexions.

No man's happiness was ever more identified with another's than was Mr. Gerry's with this accomplished lady. Whatever were the storms in the political elements, it was in her society that he found perfect serenity, and no penalties to which the violence of party spirit afterwards subjected him were borne with so little fortitude as those, which it suited the ungallant severity of the day to extend also to her.

Mr. Gerry returned to Massachusetts to enjoy the pleasures of domestic life, reposing for a while from the cares of politics to be called again to new and higher duties, to sustain more important and honourable offices, to suffer the obloquy and reproach, which always burst on those who put their own strength before the passions of the people, but to live until the most brilliant reward should attest the value of his character, and to die at the head of the senate, the second magistrate of a republic, which his earliest efforts had assisted to become free, sovereign and independent.

APPENDIX A.

Referred to in page 95.

WATERTOWN, Nov. 13th, 1775.

*In the sixteenth year of the reign of George the third,
King, &c.*

*An act for encouraging the fitting out of armed vessels
to defend the sea coast of America, and for erecting
a court to try and condemn all vessels that shall be
found infesting the same.*

WHEREAS the present administration of Great Britain, being divested of justice and humanity, and strangers to that magnanimity and sacred regard for liberty, which inspired their predecessors, have been endeavouring, through a series of years, to establish a system of despotism over the American colonies, and by their venal and corrupt measures, have so extended their influence over the British parliament, that by a prostituted majority, it is now become a political engine of slavery. And whereas the military tools of these our unnatural enemies, while restrained by the united forces of the American colonies from proceeding in their sanguinary career of devastation and slaughter, are infesting the sea coast with armed vessels, and daily endeavouring to distress the inhabitants, by burning their towns and destroying their dwellings with their substance, plundering live stock, and making captures of provision and other vessels, being the property of the said inhabitants. And whereas their majesties, King William and Queen Mary, by the royal charter of this colony, "for themselves, their heirs and successors, did grant, establish and ordain, that in the absence of the governour and

lieutenant governor of the colony, a majority of the council shall have full power by themselves, or by any chief commander, or other officer or officers, to be appointed by them from time to time, for the special defence of their said province or territory, to assemble in martial array, and put in warlike posture the inhabitants of their said province or territory, and to lead and conduct them, and with them to encounter, expulse, resist and pursue by force of arms, as well by sea as by land, within or without the limits of the said province or territory; and also to kill, slay, destroy and conquer, by all fitting ways, enterprizes and means whatever, all and every such person and persons, as should at any time thereafter, attempt or enterprize the destruction, invasion, detriment or annoyance of their said province or territory, and to take and surprise, by all ways and means whatever, all and every person and persons, with their ships, arms, ammunition and other goods, as should in a hostile manner invade or attempt the invading, conquering or annoying of their said province or territory:" And whereas it is expressly resolved by the grand congress of America, "that each colony, at their own expense, make such provision by armed vessels or otherwise, as their respective assemblies, conventions, or committees of safety, shall judge expedient and suitable to their circumstances and situations, for the protection of their harbours and navigation on the sea coasts, against all unlawful invasion, attacks and depredations from cutters and ships of war." And it is the duty and interest of this colony to exert itself, as well for the purpose of keeping supplies from the enemy, as for those mentioned in the paragraphs of the charter and resolve now recited :

Therefore, for the more effectual carrying into execution the purposes aforesaid :

Be it enacted by the council and house of representatives in general court assembled, and by the authority of the same, that all armed and other vessels which shall be brought into this colony, and have been found making unlawful invasions, attack or depredations on the sea coasts, or navigation of any

part of America, or improved in supplying the fleet and army, which have been, or shall at any time be employed against the united colonies, or employed by the said enemy in any respect whatever: and also all vessels, whose masters and supercargoes shall have had designs of carrying supplies of any kind to the enemy, or that shall be returning from the enemy, after having carried such supplies, and shall be convicted thereof, as is herein provided, such vessel or vessels, with their appurtenances and cargoes, shall be deemed forfeited, and shall be disposed of, as is by this act hereafter ordered and directed.

And be it further enacted by the authority aforesaid, That the council of this colony, or the major part of them, shall be fully empowered to commission with letters of marque and reprisal, any person or persons, within this colony, who shall at his or their own expense, fit out and equip for the defence of America any vessel, as also any person who shall by the owner of such vessel be recommended therefor: and that all such persons so commissioned as aforesaid, shall have full power with such other persons, as they shall engage to their assistance, to sail on the seas, attack, take and bring into any port in this colony, all vessels offending or employed by the enemy as aforesaid; and also to retake and bring in as aforesaid, any vessel or vessels, that may be taken from any person or persons by the said enemy.

Provided always, and be it further enacted, that the master or owner of such vessels shall, at the time he receives such commission enter into bond with one sufficient surety at least for the faithful discharge of his office, and observing the law of this relating to armed colony vessels; which bond shall be in the words following, viz:

“ Know all men by these presents, that we A. B. and C. D. of, &c. are holden and stand firmly bound and obliged unto the treasurer and receiver-general of the colony aforesaid, in the full and just sum of to be paid unto the said treasurer and receiver-general, or to his successor in the said office; to the true payment whereof, we bind ourselves, our heirs,

executors and administrators, jointly, severally and firmly by these presents: Sealed with our seal the day of anno domini, 17 .

"The condition of the aforesaid written obligation is such, that whereas the said A. B. hath, on the day of the date hereof received a commission to command an armed vessel called the burthened about tons, to make reprisals of all armed and other vessels, that shall be found supplying the enemy, or acting counter to a law of this colony, entitled an act for encouraging the fitting out of armed vessels to defend the sea coasts of America, and for erecting a court to try and condemn all vessels that shall be found infesting the same—If therefore the said A. B. shall, and do in and by all things well and truly observe and fulfil such instructions as he shall receive from the council of this colony, and shall in all respects conform himself to the direction given in and by the act aforesaid, then the aforesaid written obligation to be void, otherwise to remain in full force."

And be it further enacted, That there shall be erected and constantly held in the town of Plymouth, in the county of Plymouth, a court of justice by such able and discreet person as shall be appointed and commissioned by the major part of the council, for that purpose, whose business it shall be to take cognizance of, and try the justice of any capture or captures of any vessel or vessels, that may or shall be taken by any person or persons whomsoever, and brought into either of the counties of Plymouth, Barnstable, Bristol, Nantucket, or Dukes county; and the judge, so commissioned, to hold the said court as aforesaid, shall have power at all times to issue his warrant or warrants to the constable or constables, of any town or towns within the said counties of Plymouth, Barnstable, Bristol, Dukes county, or Nantucket, or either of them, directing the said constable or constables to warn a meeting of the inhabitants of their towns respectively, and to draw out of the box in such manner as is provided by the laws of this colony, for returning jurors to serve in the inferior court of Common Pleas, so many good and lawful men

for jurors, as the said judge shall, in his said warrant, order and direct, not exceeding the number of twelve; and the said constable shall immediately, as soon as may be, give notice in writing to such persons, so drawn, of the time and place which in the said warrant shall be set for their appearance, and shall return the said warrant, with his doings thereon; to the said judge, at or before the time set therein for the appearance of the said jurors.

And be it further enacted, That if any constable within the said counties shall neglect or refuse to obey the warrant of the judge, for returning the said jurors as aforesaid, he shall pay such fine as the said judge shall order, not exceeding the sum of forty shillings: and if any juror, so drawn, and having notice as aforesaid, shall not appear, at the time and place, directed in such warrant, or shall refuse, without reasonable excuse, to serve on such jury, he shall pay such fine as the judge shall order, not exceeding the sum of forty shillings; but before such fine shall be awarded, the said judge shall summon such jurymen to appear before him, to show forth the reasons of his neglect; and if such reasons shall not be satisfactory to the said judge, then he, the said judge, shall issue his warrant of distress for such fine, in the manner as is directed for the recovery of fines of jurors, who shall neglect or refuse to serve in the inferiour court of Common Pleas; which fines so recovered, shall be paid into the treasury of this colony.

And be it further enacted by the authority aforesaid, That there shall be held in like manner, in the town of Ipswich, in the county of Essex, one other court of justice, by such able and discreet person, as the major part of the council shall appoint and commission thereto, which judge shall have full cognizance of, and power to try the justice of the capture of any vessel or vessels, that shall be taken as aforesaid, and brought into any port in the counties of Suffolk, Middlesex, or Essex, and shall have the like power to issue his warrant or warrants, for jurors in the said counties, as is before provided for the judge of the counties first mentioned; and every

constable and juror, within the said counties of Suffolk, Middlesex and Essex, who shall neglect to pay due obedience to the said warrants, shall be liable to the same penalties, as are provided by this act, against those, in like manner offending, in the counties of Plymouth, Barnstable, Bristol, Nantucket and Dukes.

And be it further enacted by the authority aforesaid, That there shall be held in like manner in North Yarmouth, in the county of Cumberland, one other court of justice, by such person, as the major part of the council shall commission, to be judge thereof, which judge shall have full cognizance of, and power to try, the justice of all captures of vessels that shall be taken as aforesaid, and brought into any port, in either of the counties of York, Cumberland or Lincoln; and shall have such power to issue a warrant or warrants, in the said counties, as is provided in this act for the other judges aforementioned, in the counties of their respective jurisdiction; and the constables and jurors in the said counties of York, Cumberland and Lincoln, are to pay strict obedience to the said warrants, under the penalties before in this act provided for like offences in the other counties aforementioned.

And be it further enacted by the authority aforesaid, That when any person or persons shall take and bring into any port in this colony, any vessel or vessels, that have been offending, or employed by the enemy as aforesaid, such person or persons, so taking and bringing such vessel, shall immediately make out a bill in writing, therein giving a full and ample account of the time and manner of the caption of such vessel, and the employment she was in, when so taken, and of the persons who were aiding and assisting in taking her; and a schedule of the cargo on board her, to the best of his knowledge, at the time of her caption; and shall deliver the same to the judge, who shall have jurisdiction of the port where such vessel is brought, with all the papers that may be found on board such vessel, to the intent that the jury may have the benefit of evidence arising therefrom: and the judge,

to whom the said bill shall be delivered, shall immediately issue his warrant or warrants, as aforesaid, to any constable or constables, within the counties of his jurisdiction, commanding them, or either of them, in manner aforesaid, to return twelve good and lawful men to try the truth of any facts alleged in such bill; and if seven of the said jurors, so returned by the said constable or constables, shall appear, and there shall not be enough to complete a panel of twelve, or if there shall be a legal challenge to any of them, so that there shall be seven, and not a panel, to try such cause, then in such case, it shall be lawful for the judge to order the sheriff, or other proper officer, attending on the said court, to fill up the jury with other good and lawful men present, which jury shall be sworn to return a true verdict upon the said bill, according to law and evidence: and if it shall appear to the said judge by the said verdict, that such vessel had been employed or offending as aforesaid, he shall condemn the said vessel and cargo, and appurtenances, and order them to be sold at public vendue, and shall order the charges of the said trial and condemnation to be paid out of the money, such vessel and cargo shall sell for, unto the treasury of this colony, and shall order the residue thereof to be delivered to the captors, their agents or attorneys, for the use and benefit of such captors, and others concerned therein. And if two or more vessels, the commanders whereof, shall be properly commissioned, shall jointly take such vessel, the money, she and her cargo and appurtenances shall sell for, after payment of charges as aforesaid, shall be divided between the captors, in proportion to their men. And the said judge, before whom any such trial and condemnation as is before mentioned may be, shall be authorized to make out his precept under his hand and seal, to either of the sheriffs within his jurisdiction, to sell such vessel and appurtenances, and cargo, and to pay thereout the charges of trial and condemnation, into the treasury of this colony, and to pay his own fees, and to deliver the residue to the captors and persons concerned as aforesaid.

And be it further enacted, That there shall be paid to the

justice, jurors and sheriffs, out of the public treasury, such fees as are, or shall hereafter be established by law, to each and every officer of the said court.

And be it further enacted by the authority aforesaid, That when any such bill shall be delivered to such judge he shall cause notification thereof, and the name (if known) and description of the vessel so brought in, with the day set for the trial thereon, to be advertised in the several papers printed at Watertown and Cambridge fifteen days before the time set for the trial, that the owner of such vessel, or any person concerned, may appear and show cause, if any they have, why such vessel, with her cargo and appurtenances, should not be condemned and sold as aforesaid.

And be it further enacted, That the process and proceeding upon any vessel, that shall be retaken from the enemy by any person or persons, shall be in the same manner, as is herein provided for other vessels; and if by verdict of the jury, it shall appear to the judge, that such vessel was taken by the enemy, and was retaken by such person or persons, before condemnation by the said enemy thereon had, the said judge shall order such vessel, with her cargo and appurtenances, to be sold in manner aforesaid, and shall order not more than one third, nor less than one quarter of what she shall sell for (after paying the charges of trial and sale) to be delivered to the captors, as before provided for other vessels, and the residue to be delivered to the owner or owners of such vessel. —And, if such vessel so retaken, shall have been condemned by the enemy, then the money, she and her cargo and appurtenances may sell for, shall be delivered to the captors, as is above provided for vessels belonging to the said enemy.

And be it further enacted by the authority aforesaid, That each judge of such courts shall appoint an able clerk, who shall keep a true and fair record of all the proceedings of the said court, and shall be duly sworn to act in the said office, with truth and fidelity, and his attestations shall be received as evidence in all courts of law.

APPENDIX TO PAGE 110.

The following letters of the late President Adams, on the subject of the American navy were by accident mislaid when the pages where they should have appeared were passing through the press. They are added in this place to present the correspondence complete, and make the views of the writer intelligible.

Mr. Adams to Vice-President Gerry.

QUINCY, APRIL 19, 1813.

A very fortunate day to write to you, my dear sir, and especially on a subject without which the actions of April 19, 1775, would have been no blessing.

In my last letter I intimated a design of looking into other American historians after that of Mrs. Warren, on the subject of a navy.

Chief Justice Marshall, in the second volume of his *Life of Washington*, p. 257, in the month of September, says, "The importance of a maritime force to the military operations of a country possessing an immense extent of sea coast must always be sensibly felt, and in an early stage of the contest the particular attention of the United Colonies was directed more immediately to this interesting object by an event not very unusual in a period of hostilities, but which at the time excited no small degree of resentment." This event was the conflagration of Falmouth. See in the book the *sang froid* account of this pretty business. "This measure was loudly reprobated throughout America, and was a mean of stimulating the attention of the United Colonies to their marine, and hastening their preparations to bring into operation the means they possessed for retaliating injuries sustained at sea. It was one immediate motive with the convention of Massachu-

setts for granting letters of marque and reprisal, and was assigned by congress, in addition to the capture of American merchantmen on the high seas, as an inducement for fitting out some ships of war, to man which they directed two battalions of marines to be recruited.

" Though general letters of reprisal were not immediately granted by congress to their continental cruisers, a measure of equal efficacy but less hostile in appearance was adopted. Their ships of war were authorized to capture all vessels employed in giving assistance to the enemy in any manner whatever; and the forms used in their resolution were such, that no capture could be made which might not be construed to come within it. At the repeated and pressing instances of the commander in chief, they also established courts to take cognizance of prizes; and adopted for their government the general principles of national law. A few small cruisers had been already fitted out under the authority and by the direction of general Washington, and the coasts soon swarmed with the privateers of New-England. These naval exertions were attended with valuable consequences. Many captures were made, and important supplies of ammunition were thus obtained, without which it would have been scarcely possible to have maintained the blockade of Boston. The cruisers of Massachusetts were particularly successful; and such was the general spirit of enterprize, that the British government as well as their merchants, who seem to have been under no apprehension of an attack on what was deemed their peculiar element, smarted severely under these first essays of the colonists in maritime war.

" Captain Manly, of the Lee privateer, was remarkably active and fortunate. He made many valuable captures of vessels laden with military stores, the most important and acceptable of which was a large ordnance ship, having on board a considerable cargo of arms and ammunition, with a complete assortment of such working tools, utensils and machines as were most needed in the American camp." Please to read the next paragraph, page 260, the substance of which is, " that

the distress of the British troops was increased by the capture of very many of their provision ships by the continental and provincial cruisers."

This is all the attention that this biographical historian has bestowed upon this great subject at that most critical and most important period.

Had this learned writer ever read your law or the journal of congress, or had the general in his letters or minutes taken any notice of either? Why was the authority of Massachusetts, which enacted the law in all the forms of the constitution by their charter, called a convention? It was the general court, the regular legal constitutional legislature of the province, the crown governor having abdicated. Neither the proceedings of the Massachusetts' legislature nor those of congress are stated with any chronological order, or intelligible perspicuity, or tolerable precision.

When did "congress, at the pressing instances of Washington establish courts," &c.? Your law established courts, and your executive power appointed judges, and Edes's paper is full of advertisements of Nathan Cuthing and Timothy Pickering junior, of libels before them of ships and cargoes taken. But when did congress erect courts or commission judges? The earliest step that I recollect in congress was allowing an appeal, and appointing a committee of their own members to sit with full powers as a court of appeals. And this I should have forgotten, if I had not been one of these judges and heard the arguments of Lewis, Jonathan Dickinson, Sargent, and other lawyers in several cases.

When were "a few small cruisers fitted out under the authority and by the direction of general Washington?" What authority had the general? None at all, but that which he derived from the authority and orders of congress, recorded in their journal of the fifth of October 1775, desiring (i. e. commanding) him to apply to the council of Massachusetts Bay for the two armed vessels in their service, &c. &c. &c. And congress in the same resolution ordered letters to be written to the governors Coke and Trumbull to send their vessels on the

same service. All to be employed at the continental expense. By all which it appears that three states at least, Massachusetts, Rhode Island and Connecticut had each of them two vessels at least, fitted, armed and equipped by the state authorities and at the state's expense, without orders, advice, request or intimation from congress or their general, and without any other prompter than their own wisdom and foresight.

And here, by the way, the order of congress is on the 5th of October 1775. Your law is printed in Edes's Gazette of the 13th of November 1775. The law of congress therefore precedes your law by one month and eight days. Your law must have been in agitation a long time before it was enacted, and still a longer time before it was printed in a newspaper. The dates of its conception, its growth in embryo and its birth are not ascertained nor ascertainable by me. Are the journals, or any records of the proceedings of the general court at Watertown during this session preserved? And where are they deposited? Where can I find them? One thing is certain, you had ships ready on and before the 5th of October, when congress called upon you to lend them to Washington, and before your law was printed; but how long before, and by what steps, and at what dates the business advanced, does not appear.

Why does Marshall call Manly and his ship a privateer? Manly was fitted by the authority of Congress the national sovereign, by Washington as their executive agent. If ever there was a public ship, Manly's was one. In short, the force of words, legal and political distinctions and public records are all equally unknown and unsought by our historians. Not one word about Broughton or Silman. Where is the dignity, the impartiality of history?

JOHN ADAMS.

Vice-President Gerry.

Mr. Adams to Vice-President Gerry.

QUINCY, APRIL 20, 1813.

DEAR SIR,

In former letters I have made a few hasty remarks upon Mrs. Warren and Mr. Marshall; permit me now to add one or two upon Dr. Gordon.

In the second volume of his history, page 144, he says, "The Massachusetts' assembly resolved, October the ninth, [1775] to fit out armed vessels." But how is this? This resolution is four days later than the resolution of congress, October 5, which asserts that Massachusetts had already "two armed vessels in their service, Rhode Island two and Connecticut two." How are we to reconcile these seeming inconsistencies? There can be no error in the date of the journal of congress. Is there a mistake in Dr. Gordon's date? This can be determined only by the journal of the general court at Watertown. Where is that? Who was clerk? Warren, I presume, was speaker.

Some light may be thrown upon this difficulty, though it is not wholly removed by the next words of Gordon; "which proving a sufficient encouragement for individuals to apply themselves to that business, and some being in proper forwardness, an act was passed in November for granting letters of marque and reprisal and the establishment of courts of admiralty." This no doubt was your and Sullivan's act; but Gordon has not given us the date of the first motion for it in either house, or any of its stages; the opposition to it, the debates upon it, or its final enactment or first publication. How congress could know on the fifth of October that you had "two vessels in your service," when the resolution for fitting them was not passed by you till the ninth and your systematical law was not passed till November, and not published at least in the Gazette till the thirteenth of November, still remains a mystery. The journal of your general court may explain it.

Gordon proceeds, "The declared intention of the act," [i.e. your and Sullivan's act] "was for the defence of the American coast and the condemnation of those vessels only which should be proved to be the property of or in any wise employed by the enemies of the United American Colonies, or for supplying such enemies. The Lee privateer, captain Manly, belonging to Marblehead, was soon at sea and took the brig Nancy, an ordnance ship from Woolwich, containing beside a large brass mortar upon a new construction, several pieces of fine brass cannon, a large quantity of small arms and ammunition, with all manner of tools, utensils and machines necessary for camps and artillery, in the greatest abundance. General Washington, but thirteen days before, wrote, 'I am in very great want of powder, lead, mortars, indeed of most sorts of military stores.' Had congress sent an order for articles most wanted, they could not have made a more satisfactory invoice. The mortar is now at Cambridge in the park of artillery; is named The Congress, and is much admired for its size by every spectator, whether acquainted or not with the uses for which it is designed. About two months before this capture a ship from Bristol with flour for Boston, having parted with her convoy was deceived into Portsmouth in New Hampshire and secured for the benefit of the Americans. Three ships from London, Glasgow and Liverpool with various stores for the army, and a brig from Antigua with rum were taken in the bay by captain Manly by whale boats, &c. A number of men in whale boats can overpower unarmed vessels and carry them off into secure harbours. These and the privateers captured several more store ships before five days were ended. Among the privateers were some continental ones, for general Washington fitted out a few armed vessels, which has met with the approbation of congress. These repeated and considerable captures have increased the distress of the troops and people of Boston, and furnished the continental army with many valuable articles. But though the success of the Americans upon the watery element has been matter of joy and triumph, their affairs upon land do not answer the wishes of the genuine patriots."

This account of Gordon's is more sensible and satisfactory than Warren's or Marshall's, yet how lean, how indistinct, how incorrect and how erroneous is even this!

Why does he call these armaments privateers? They were state ships of war, or national ships of war; for continental ships were national ships.

One would think that Washington had of his own head fitted out ships, and their success had obtained the retrospective approbation of congress. No such matter. Washington did nothing in this affair but by the authority and in obedience to the law and orders of congress, which law and orders as well as the resolution and law of the state of Massachusetts ought to have been stated by the historian, and the names and cruises and exploits of commodore Broughton and captain Selman and others ought to have been recorded as well as those of Manly.

In page 155 of volume 2, he says, "Congress determined upon building five ships of 32 guns, five of 28, and three of 25, in all thirteen; one in New-Hampshire, two in Massachusetts, one in Connecticut, two in Rhode Island, two in New York, four in Pennsylvania, and one in Maryland." But he takes no notice of the antecedent proceedings of congress by which the Columbus, the Cabotts, the Alfred, the Andrew Doria were fitted out, officered, manned, victualled, clothed, &c. and all the rules and regulations of the navy prepared and adopted by congress before the resolution to build the thirteen ships was proposed in congress by a new committee of twelve under the same title with the first committee of five. All he says is, "The committee appointed to fit out armed vessels, having procured a few, laid before congress a list of the officers by them appointed, and were directed to give such instructions to the commander of the fleet, Ezekiel Hopkins, Esq. touching the operations of the ships under his command, as should appear to them most conducive to the defence of the United Colonies and to the distress of the enemy's forces and vessels."

Such is the account, meagre and jejune, given by three of our principal historians of the first essay towards the foundation of a national marine, one of the most efficacious measures of the revolution, and the most important subject that can engage the contemplation of American citizens at this hour and in all times to come.

It is with grief that I record a fact, which I ought to record, relative to Gordon's history. His object was profit. He was told that his book would not sell if printed according to his manuscript. It was accordingly thrown into a new form of letters between a gentleman in England and one in America. He was told besides, that the style was so bold that it would damn the work, and that many things were so favourable to America and others so disgraceful to Britons that neither would be borne. Accordingly the style and spirit was altered and accommodated more to the British taste and feelings. In this labour of love he had the assistance of some of the dissenting clergymen; and among them I can name the Drs. Towers, father and son. Had the original manuscript been printed, the work would have appeared very differently.

I wish to examine the history of the birth of our Hercules, our Samson, our David, the navy, in Washington's letters, in Ramsay, in Bancroft, &c. &c. I hope some of them have given a more satisfactory account.

Your's as ever,

JOHN ADAMS.

Vice-President Gerry.

TO THE BINDER.

The binder will place the fac-simile to face page 196.

ERRATUM.

In page 272, for Jonathan W. Sewall read Jonathan Sewall.

END.

5. a. b. u. s

MAR 2 - 1918

